

Agenda Book
EPSB Meeting Agenda
EPSB Offices
100 Airport Road, 3rd Floor, Conference Room A, Frankfort, KY 40601
September 14, 2009

Sunday, September 13, 2009

5:30 PM EDT **DISCUSSION ON NCATE Changes and the LRC Report**
EPSB Offices, Conference Room A
NO BUSINESS WILL BE CONDUCTED

Monday, September 14, 2009

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

Roll Call

Recognition of Former Board Member

[Approval of August 3, 2009 Minutes](#) (Pages 1-38)

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

- A. New Appointment and Reappointments to the Accreditation Audit Committee (AAC)
- B. Reappointments to the Continuous Assessment Review Committee (CARC)
- C. New Appointment to the Master's Redesign Review Committee
- D. New Appointments and Reappointments to the Reading Committee

Committee Reports

- A. Nominating Committee
- B. Evaluation of the Executive Director Committee

Information/Discussion Item

- A. **[16 KAR 2.010. Kentucky Teaching Certificates, Notice of Intent](#)** (Mr. Mike Carr) (Pages 39-52)
- B. **[16 KAR 2:120. Emergency Certification and Out-Of-Field Teaching, Notice of Intent](#)** (Mr. Carr) (Pages 53-62)
- C. **[16 KAR 2: . Probationary Endorsement for Teachers for English as a Second Language, Notice of Intent \(to Promulgate New Regulation\)](#)** (Mr. Carr) (Pages 63-66)
- D. **[Awarded Contracts](#)** (Mr. Gary Freeland) (Pages 67-68)

Action Items

- A. [Approval of Contracts](#) (Mr. Freeland) (**Pages 69-72**)
- B. [Approval of Educator Preparation Program: Biological Science 8-12 \(MAT\), Chemistry 8-12 \(MAT\), Earth Science 8-12 \(MAT\), and Physics 8-12 \(MAT\); University of the Cumberland](#)s (Dr. Marilyn Troupe) (**Pages 73-78**)
- C. [Approval of Educator Preparation Program: Alternative Route to Certification Proposal for Master of Arts in Teaching in Four Science Areas: Chemistry, Physics, Earth Science, and Biology; University of the Cumberland](#)s (Dr. Troupe) (**Pages 79-88**)
- D. [Approval of Teacher Leader Master's and Endorsement Program, Bellarmine University](#) (Dr. Troupe) (**Pages 89-96**)
- E. [2009 Title II Report](#) (Dr. Troupe) (**Pages 00-00**)
- F. [2009-10 Emergency Non-Certified School Personnel Program](#) (Mr. Mike Carr) (**Pages 99-102**)

Waivers

- A. [16 KAR 2:010. Kentucky Teaching Certificates, Request for Second Extension to Complete Masters Degree, Ms. Sheila Donaldson](#) (Mr. Carr) (**Pages 103-108**)
- B. [16 KAR 6:010. Written Examination Prerequisites for Teacher Certification, Request to Waive All Grade Levels French Certification Assessment Requirements](#) (Mr. Brown) (**Pages 109-112**)
- C. [16 KAR 5:040. Admission, Placement, and Supervision in Student Teaching, Request to Waive the Cooperating Teacher Eligibility Requirements, Dr. Bobby Starnes on behalf of Mr. Gary Gay](#) (Dr. Troupe) (**Pages 113-116**)

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 19, 2009
EPSB Offices

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The actions delineated below were taken in open session of the EPSB at the August 3, 2009 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 3, 2009**

Call to Order

Chair Lorraine Williams called the meeting to order at approximately 9:05 a.m.

Swearing-In of New Board Members

The EPSB's newest members, Dr. Mark Wasicsko and Ms. Becky Sagan, were sworn in by Notary Public Ashley Abshire. Dr. Wasicsko expressed his delight to be appointed again as an EPSB member and stated that he is eager to work with the other board members. Ms. Sagan, the EPSB's school board representative, introduced herself to the board. She serves as the Fayette County school board chair and is a former special education teacher.

Roll Call

The following members were present during the August 3, 2009 EPSB meeting: Lonnie Anderson, Frank Cheatham, Michael Dailey, John DeAtley, Cathy Gunn, Mary Hammons, Gregory Ross, Becky Sagan, Sandy Sinclair-Curry, Zenaida Smith, Bobbie Stoess, Tom Stull, Mark Wasicsko, Lorraine Williams, and Cynthia York. James Hughley and Lynn May were absent.

Amendment to the August 3, 2009 EPSB agenda

Motion made by Dr. Frank Cheatham, seconded by Mr. Lonnie Anderson, to amend the August 3, 2009 agenda to add the appointment of the Executive Director's Evaluation Committee.

Vote: *Unanimous*

Approval of May 18, 2009 Minutes

Motion made by Dr. Frank Cheatham, seconded by Mr. Lonnie Anderson, to approve the May 18, 2009 minutes.

Vote: *Unanimous*

Open Speak

There were no requests for Open Speak.

Report of the Executive Director

Dr. Rogers welcomed Dr. Wasicsko and Ms. Sagan to the board and expressed his pleasure at their willingness to serve.

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Report from the Kentucky Department of Education

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

* Dr. Terry Holliday is Kentucky's fifth commissioner of education. He anticipates working closely with Kentucky's education partners.

* The Bill and Melinda Gates Foundation awarded Kentucky a grant to hire a consultant to help prepare the state's application for the "Race to the Top" funds. This funding will be awarded to states that propose strategies for raising academic standards, improving teacher quality, and adopting common student assessment standards. Grant money will be distributed in late December and in February or March. Recent legislative changes have been perceived by some as placing Kentucky in a good position to receive the "Race to the Top" money. Kentucky's Senate Bill 1 (SB1) requires the Department of Education to devise new educational standards and a new test for the 2011-12 school year. KDE welcomes the collaborative relationships that may form as a result of work to attain "Race to the Top" funding.

Report from the Council on Postsecondary Education

Mr. John DeAtley reported on the recent work of CPE as follows:

* The second Higher Education Workgroup was recreated a few weeks ago. The first meeting was on July 21st. This workgroup will focus on student financial aid, transfer, remediation and graduation, and cost savings. The workgroup will meet throughout the fall with a report due to the Governor in November.

* CPE has worked closely with KDE to discuss components of SB1. Teams have been formed to look at postsecondary and K-12 education.

* CPE is currently in the process of developing a budget.

2008-2009 Goals and Strategies Report

Dr. Rogers asked the board to review the 2008-2009 Goals and Strategies Report that was included in the agenda book packet mailed to board members. He stated that he wants it to be complete, accurate, and reflective of the board's work. He asked the board to let him know if there are any questions. This report will be posted on the EPSB website.

Senate Bill 1 and EPSB

A literacy committee has been developed as a result of SB1. The group met once and worked to define literacy in a broader sense, primarily as it applies to middle and high school programs, to ensure that all middle and high school teachers understand the basics of literacy instruction. Dr. Rogers is serving on the SB1 steering committee, which is focused on fulfilling the requirements of SB1. One major issue facing the committee will be professional development. The vision is to have Kentucky higher education institutions closely connected with professional development in K-12 schools. The committee is looking at using high quality professional development to renew certificates. Universities would be called upon to provide the high quality professional development training.

Report of the Chair

Appointment of the Nominating Committee

Chair Lorraine Williams appointed Dr. Cathy Gunn (chair), Greg Ross, and Sandy Sinclair-Curry to serve on the Nominating Committee.

Appointment to the Kentucky Advisory Council on Internships (KACI)

Chair Williams appointed Ms. Janet O'Connell to KACI.

Appointment of the Executive Director's Evaluation Committee

Chair Williams appointed Dr. Frank Cheatham (chair), Lonnie Anderson, and Cynthia York to the Executive Director's Evaluation Committee.

Committee Report

There were no committee reports.

Information/Discussion Items

Financial Report for Fiscal Year 2009

Deputy Executive Director Gary Freeland reported on the financial report for fiscal year (FY) 2009. The agency took a 4.5% reduction in July 2008 and another 4% reduction in January 2009. The 2009 budget did not include KTIP reductions because KTIP funding was approved by the board in May 2008 prior to any agency reductions. This meant that other EPSB programs were forced to take deeper reductions. In 2008, EPSB eliminated 2 full-time contractor positions. In 2009, 8 staff positions were eliminated or not filled: 2 full-time state positions, 3 full-time contractors, and 3 part-time contractors.

At the end of FY 2009, the agency had a balance of \$38,489.00 in general funds that lapsed. During the last budget bill, language was removed that would have allowed the EPSB to carry over to the new FY unspent KTIP funds. This balance was a result of underspending of university KTIP contracts and 32 late KTIP timesheets. Chair Williams asked what the board options are to prevent a lapse in agency funds in the future. Mr. Freeland stated that staff will pay close attention to KTIP expenses and ask for allotment adjustments just prior to year-end closing to prevent a lapse in funds.

The 2010 budget has not yet been determined by the Governor's office. Mr. Freeland has submitted documents to the Governor's office regarding how the agency would manage another 2% or 4% reduction.

Awarded Contracts

Mr. Freeland reported that KTIP contracts were awarded to the 8 public universities. Funding for these contracts was increased by about \$200,000 compared to last year. The universities were awarded an amount based upon last year's number of interns. A \$263 per intern cost was determined for the contracts.

16 KAR 6:010. Written Examination Prerequisites for Teacher Certification Update

Mr. Robert Brown reported on potential changes to 16 KAR 6:010 in the future.

He reported that newly developed French, German, and Spanish assessments will ultimately replace the current French, German, and Spanish tests. These new content tests, a combination of multiple choice and constructed response items, will include a

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speaking section. The tests will be administered separately from the remainder of the Praxis Series tests in order to reduce ambient noise. In May the newly developed tests were reviewed. As recommended by the review panel, Kentucky will have representation on the upcoming multi-state standard setting studies (SSS) for the content knowledge tests. Panelists agreed that the current *Principles of Learning and Teaching* tests are more suitable for Kentucky use than the *World Language Pedagogy (0841)* tests.

Additionally, Mr. Brown reported on the *Health and Physical Education: Content Knowledge (0856)* test. Requests from several constituents have asked for an assessment option for those seeking dual health and physical education (PE) certification. Currently individuals seeking certification in both health and PE must successfully complete *Health Education (0550)*, *Physical Education: Content Knowledge (0091)*, *Physical Education: Movement Forms, Analysis, and Design (0092)*, and one of the *Principles of Learning and Teaching* tests. Staff hosted a review of the *Praxis II Health and Physical Education: Content Knowledge (0856)* test in June 2009. Mr. Brown reported that panelists agreed that in a situation where an individual was seeking dual certification, 0856 could replace the current physical education content and health education content tests; however, panelists did not think it should replace the *Physical Education: Movement Forms, Analysis, and Design (0092)* test. In essence, if an individual is seeking certification in health education or physical education, the content test for that area will need to be taken. If an individual is seeking dual certification, he/she would take the new test (0856) plus 0092 and one of the *Principles of Learning and Teaching* tests. Staff plans to nominate individuals to participate in an upcoming standard setting study for the new assessment.

Finally, Mr. Brown discussed a scaled score and test code change for the *Library Media Specialist (0310)* and *Speech Communication (0221)* tests. A similar situation was brought to the board last year. ETS is in the process of transitioning the older NTE scaled tests (250-990 scale) to the Praxis score scale (100-200). The tests will not change, but a concordance model will be used to compare old NTE scores to the Praxis II score. The following test code and cut score changes will be effective with the September 2009 test administration. EPSB staff will use a concordance table provided by ETS in determining successful completion of the assessments.

| Current Test Name and Code | Test Name and Code Effective September 2009 | Current (NTE) Cut Score | Cut Score Effective September 1, 2009 |
|--|---|-------------------------|---------------------------------------|
| <i>Library Media Specialist (0310)</i> | <i>Library Media Specialist (0311)</i> | 640 | 156 |
| <i>Speech Communication (0220)</i> | <i>Speech Communication (0221)</i> | 580 | 146 |

Ms. Zenaida Smith voiced concerns regarding the ETS language tests. She asked staff to check with ETS to ensure that assessment instructions indicate whether to place answers in the booklet or on a computer and whether accent marks are expected to be used.

Action Items

Murray State University Accreditation

Issue 1

2009-018

Motion made by Dr. Mark Wasicsko, seconded by Dr. Cathy Gunn, to accept the recommendation of the AAC and grant accreditation for Murray State University.

Vote: *Unanimous*

Issue 2

2009-019

Motion made by Dr. Gunn, seconded by Mr. John DeAtley, to accept the recommendation of the AAC and grant approval for the initial and advanced level educator preparation programs at Murray State University.

Vote: *Unanimous*

Ms. Allison Bell read a letter addressed to Murray State University (MuSU) from NCATE commending its institutional report, noting that it was exemplary. NCATE asked permission from MuSU to post the university's institutional report on the NCATE website to assist other institutions undergoing the accreditation process.

Dr. Russ Wall, Dean of the MuSU College of Education, thanked the national and state review teams, Dr. Renee Campoy, and Dr. Alesa Walker. He also thanked MuSU's faculty, staff, and students who made them proud. He stated that MuSU is proud of its accomplishments and will continue to strive to improve.

University of Louisville Accreditation

Issue 1

2009-020

Motion made by Mr. DeAtley, seconded by Mr. Lonnie Anderson, to accept the recommendation of the AAC and grant accreditation for the University of Louisville (UofL).

Vote: *Yes – 14*

Recuse – 1 (Ms. Becky Sagan)

Ms. Zenaida Smith voiced concerns about the institution's 2 new areas for improvement (AFIs). These AFIs are listed below.

Standard 1: Candidate Knowledge, Skills, and Dispositions. The Speech Language Pathology program has not developed a comprehensive data assessment system as required by the Council on Academic Accreditation in Audiology and Speech-Language Pathology.

Standard 6: Unit Governance and Resources. The university curriculum approval process does not include a formal structure that ensures unit oversight of curriculum changes from other colleges that would impact unit requirements.

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Dr. Blake Haselton responded that Uof L has begun to address the two new AFIs cited by the Board of Examiners.

To correct the area for improvement for Standard 1, the Program in Communicative Disorders is actively working to address this issue and has been communicating with ASHA regarding the structures they are implementing.

In regard to the area for improvement for Standard 6, since the NCATE/EPSTB on-site visit, the charge of the University Educator Preparation Committee (UEPC) has been modified to specify this oversight as a UEPC responsibility. The office of the Provost at U of L has developed a plan whereby the UEPC would review curriculum needs and changes from both the College of Education and Human Development and other units.

Dr. Rogers stated that the institution will address these areas for improvement in its annual reports.

Issue 2

2009-021

Motion made by Dr. Frank Cheatham, seconded by Dr. Gunn, to accept the recommendation of the AAC and grant approval for the initial and advanced level education preparation programs at the University of Louisville.

Vote: Yes- 14

Recuse – 1 (Ms. Becky Sagan)

Dr. Blake Haselton recognized Dr. Cheryl Kolander, Dr. Ann Larson, Dr. Diane Kyle, and Ms. Joann Webb for their years of hard work in preparing for the accreditation. Dr. Haselton echoed Dr. Wall's comments and thanked both the EPSB, especially Dr. Marilyn Troupe, and the Board of Examiners for their guidance as they went through the process.

Approval of Educator Preparation Program: Moderate and Severe Disabilities (Bachelor's Level) and Moderate and Severe Disabilities (Graduate Level), Asbury College

Issue 1

2009-022

Ms. Bell noted that this program is a dual certification option only.

Motion made by Dr. Gunn, seconded by Ms. Zenaida Smith, to approve the proposed Moderate and Severe Disabilities (undergraduate level) preparation program addition.

Vote: Unanimous

Issue 2

2009-023

Motion made by Dr. Cheatham, seconded by Dr. Wasicsko, to approve the proposed Moderate and Severe Disabilities (graduate level) preparation program addition.

Vote: Unanimous

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Dr. Wasicsko commended Asbury for the excellent program design and the innovative joint venture with the University of Kentucky.

Approval of Educator Preparation Program: Interdisciplinary Early Childhood Education (Bachelor's Level), Campbellsville University

Issue 1

2009-024

Motion made by Dr. Wasicsko, seconded by Dr. Gunn, to approve the proposed educator preparation program addition.

Vote: Yes – 14

Recuse – 1 (Dr. Frank Cheatham)

Dr. Brenda Priddy recognized Ms. Donna Fohl and Sharon Hundley for being instrumental in the preparation of this program.

Approval of Educator Preparation Program: Environmental Education P-12 Endorsement (Graduate Level), Morehead State University

2009-025

Motion made by Dr. Wasicsko, seconded by Mr. Michael Dailey, to approve the proposed educator preparation program addition for Morehead State University.

Vote: Yes – 13

Recuse- 2 (Dr. Cathy Gunn, Ms. Zenaida Smith)

Approval of Educator Preparation Program: Instrumental Music P-12 (Bachelor's Level) and Vocal Music P-12 (Bachelor's Level); and Supervisor of Instruction P-12 and Superintendent, University of the Cumberlands

Issue 1

2009-026

Motion made by Dr. Wasicsko, seconded by Dr. Cheatham, to approve the proposed Instrumental Music P-12 (Bachelor's level) preparation program addition.

Vote: Unanimous

Issue 2

2009-027

Motion made by Dr. Wasicsko, seconded by Mr. Anderson, to approve the proposed Vocal Music P-12 (Bachelor's level) preparation program addition.

Vote: Unanimous

Issue 3

2009-028

Motion made by Mr. Anderson, seconded by Dr. Cheatham, to approve the proposed Supervisor of Instruction and Superintendent (Ed.S) preparation program additions.

Vote: Unanimous

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Mr. John DeAtley asked Dr. Gary Pate how the Ed.S program differs from an Ed.D program. Dr. Pate responded that an Ed.S program leads to superintendent or supervisor certification whereas an Ed.D does not provide a certification.

Approval of Educator Preparation Program: Biological Science 8-12 (MAT), Chemistry 8-12 (MAT), Earth Science 8-12 (MAT), and Physics 8-12 (MAT); University of the Cumberlands

The board raised several questions and concerns regarding the University of the Cumberlands MAT and Option 6 programs. The board questioned how methodology for teaching science, classroom management, and the practicum could be done solely online. While the consensus of the board indicated that the members do not have an issue with online programs, many questioned how teacher candidates are able to receive the mentoring and support needed for classroom management and the practicum with these courses being taught entirely online. Dr. Pate responded that both university faculty and mentors at the school guide the student. Mr. Michael Dailey, Ms. Lorraine Williams, and Dr. Cathy Gunn asked how the university determines that the methodology and practicum are aligned. Dr. Pate responded that in some situations students may be required to take the Praxis, but generally the Praxis is taken prior to student teaching. The board asked if there are similar programs in Kentucky that are completely online.

Another concern raised by Dr. Gunn was with the large number of adjunct faculty. She asked what percentage of adjunct faculty live outside Kentucky. Mr. Tom Stull asked if the Principles of Learning and Teaching Praxis is used to assess pedagogical knowledge, and Mr. Brown responded in the affirmative. Dr. Rogers noted, however, that Kentucky is not a test-only state. Mr. DeAtley said that he would like information on the methodology of the practicum course to see how modeling and mentoring are handled. He is concerned about a lack of connectivity between teachers and the university faculty. Chair Williams also expressed concern about expanding a program that may not be working well. Before approving the proposed program, the board would like formal answers to the questions and concerns raised.

Motion made by Dr. Gunn, seconded by Ms. Smith, to defer Action Items G & H until the September 2009 board meeting. Board questions will be given to Dean Pate to address at the September meeting.

Vote: *Unanimous*

Approval of Educator Preparation Program: School Guidance Counselor, Spalding University

2009-029

Motion made by Dr. Wasicsko, seconded by Dr. Cheatham, to approve the proposed educator preparation program addition.

Vote: *Unanimous*

Dr. Beverly Keepers thanked Dr. James Takona who was instrumental in developing the program.

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Approval of Teacher Leader Master's and Planned Fifth-Year Programs, Murray State University

Issue 1

2009-030

Motion made by Mr. DeAtley, seconded by Dr. Gunn, to approve the MuSU request for the Teacher Leader Master's, Endorsement, and Planned Fifth-Year Program.

Vote: *Unanimous*

Issue 2

2009-031

Motion made by Dr. Gunn, seconded by Mr. Michael Dailey, to approve MuSU's request to establish four (4) off-site campuses.

Vote: *Unanimous*

Dr. Russ Wall thanked MuSU's public school partners who played a key role in developing the program.

Approval of Teacher Leader Master's, Planned Fifth-Year, and Endorsement Program; Morehead State University

2009-032

Motion made by Dr. Cheatham, seconded by Mr. DeAtley, to approve the MoSU request for the Teacher Leader Master's, Planned Fifth-Year, and Endorsement Program.

Vote: *Yes – 13*

Recuse-2 (Dr. Cathy Gunn and Ms. Zenaida Smith)

Dr. Rogers stated that Asbury College was the first private college Teacher Leader Master's program approved and that Northern Kentucky University is the first public Teacher Leader Master's approved. He further added that the committee is pleased with the Teacher Leader Master's proposals it is receiving. He said these programs are very focused and deliberate in targeting advanced teacher skills to close achievement gaps. Schools are getting to the heart of what was started about 5 years ago. Dr. David Barnett said MoSU is very excited about the program and hopes to hit the ground running tomorrow.

Approval of Contract

2009-033

Motion made by Mr. Anderson, seconded by Ms. Cynthia York, to authorize the executive director to enter into the contract with the Council on Postsecondary Education.

Vote: *Yes – 14*

Recuse – 1 (Mr. John DeAtley)

16 KAR 7:010. Kentucky Teacher Internship Program, Amendment, Final Notice

Mr. Robert Brown clarified the 50 hours that may be used collaboratively with two interns. There will be some situations when a resource teacher may need to mentor an intern independently, such as during a post-observation conference or when discussing an

intern's professional growth plan. In these instances, there may be only 40 or 45 hours of collaborative work between the interns.

2009-034

Motion made by Mr. DeAtley, seconded by Mr. Dailey, to approve the amendments to 16 KAR 7:010, Kentucky Teacher Internship Program.

Vote: *Unanimous*

Kentucky Teacher Internship Appeals

Mary Henson

Dr. Mark Wasicsko asked if the appeals committee contacted the beginning teacher's committee before making a recommendation to overturn the decision and grant the intern a certificate. Mr. Gary Stephens stated that while sometimes the appeals committee will contact the beginning teacher committee, it did not do so in this case because there was enough evidence to indicate that the intern met the standards. Dr. Wasicsko stated that he has concerns about overturning the beginning teacher's committee decision without contacting the committee members. He stated that he would not object to allowing the intern to repeat KTIP but does not feel comfortable overturning the decision. He stated that standards are designed to be used with professional judgment and in his opinion, the best judgment would come from those observing the intern.

Ms. Williams stated that committee members are told that documentation is key and if concerns are not addressed in the documentation, then there is no evidence that there were problems with the intern. Mr. Robert Brown stated that professional judgment must be supported by documentation, and evidence with indicators must be present for an intern to be deemed successful or unsuccessful. Dr. Wasicsko responded that he believes the board has a responsibility to prohibit individuals from having contact with students in an education setting unless they have met the standards, and he would at the very least like to see the appeals committee meet with the beginning teacher committee. Dr. Rogers stated that with the development of the Teacher Performance Assessment (TPA) within the last 4 years, the committee now has the evidence and confidence to determine whether or not an intern has met the standards. Before the TPA, this was not necessarily true. Mr. Greg Ross stated that he feels sometimes it is beneficial to have a third party strictly review documentation. Mr. Gary Stephens stated that the committee was able to find evidence needed to overturn the beginning teacher's committee decision within the documents submitted.

2009-035

Motion made by Ms. Smith, seconded by Ms. York, to approve the Appeals Committee's recommendation that the decision of the intern committee of unsuccessful 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: *Yes – 14*

Abstain – 1 (Dr. Mark Wasicsko)

Dustin Dabney

2009-036

Motion made by Mr. DeAtley, seconded by Ms. Smith, to approve the Appeals Committee's recommendation that the decision of the intern committee of unsuccessful 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*

Ava Bemiss

2009-037

Motion made by Mr. Greg Ross, seconded by Ms. Smith, to approve the Appeals Committee's recommendation that the decision of the intern committee of unsuccessful 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*

Alicia Haskell

2009-038

Motion made by Mr. DeAtley, seconded by Ms. Smith, to approve the Appeals Committee's recommendation that procedural error(s) by the intern committee make(s) 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. Additionally, the committee chair and resource teacher of the beginning teacher committee for this intern shall be retrained in KTIP.

Vote: *Unanimous*

Michael Lewis

2009-039

Motion made by Dr. Wasicsko, seconded by Mr. Dailey, to approve the Appeals Committee's recommendation that procedural error(s) by the intern committee make(s) 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. Additionally, the entire beginning teacher committee for this intern shall be retrained in KTIP.

Vote: *Unanimous*

Marc Oldham

2009-040

Motion made by Mr. Anderson, seconded by Ms. Bobbie Stoess, to approve the Appeals Committee's recommendation that procedural error(s) by the intern committee make(s) it impossible to determine if the intern was, in fact, unsuccessful. The internship should be

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nullified and the intern allowed to repeat the internship without penalty. Additionally, the committee chair and resource teacher of the beginning teacher committee for this intern shall be retrained in KTIP.

Vote: *Unanimous*

Kathleen Parks

2009-041

Motion made by Mr. DeAtley, seconded by Mr. Dailey, to approve the Appeals Committee's recommendation that procedural error(s) by the intern committee make(s) 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. Additionally, the committee chair and resource teacher of the beginning teacher committee for this intern shall be retrained in KTIP.

Vote: *Unanimous*

Douglas Mobley

2009-042

Motion made by Mr. Ross, seconded by Ms. Stoess, to approve the Appeals Committee's recommendation that procedural error(s) by the intern committee make(s) 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*

Melanie Smith

2009-043

Motion made by Dr. Wasicsko, seconded by Mr. DeAtley, to approve the Appeals Committee's recommendation that procedural error(s) by the intern committee make(s) 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*

Something sent out to add clarification to training to what is not acceptable? New training developed there is specific sheets of roles and examples

Stevie Skillman

2009-044

Motion made by Mr. DeAtley, seconded by Ms. York, to approve the Appeals Committee's recommendation that procedural error(s) by the intern committee make(s) 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. Additionally, the entire beginning teacher committee for this intern shall be retrained in KTIP.

Vote: *Unanimous*

James Leonard

Mr. Gary Stephens reported that the Appeals Committee felt that the reports showed that the intern was on the way to meeting the standards until the final cycle, which appears to be a result of the intern's technological failure. Mr. Greg Ross stated that he believes Mr. Leonard should only have to complete the last cycle of KTIP. Staff responded that it would not be possible since he may have a different beginning teacher committee. Ms. Lorraine Williams asked if there are any guidelines for the fourth KTIP cycle and when it would be appropriate to implement it. Mr. Brown reported that it would be possible to add these guidelines and include it in the KTIP newsletters as well.

2009-045

Motion made by Mr. DeAtley, seconded by Dr. Wasicsko, to accept the Appeals Committee's recommendation that procedural error(s) by the intern committee make(s) 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*

KTIP Funding Priority

Mr. Robert Brown reported to the board that 16 KAR 7:010 establishes the requirements for the Kentucky Teacher Internship Program (KTIP). The internship may be served in a public school or a non-public school which meets the state performance standards as established in KRS 156.160 or which has been accredited by a regional or national accrediting association.

Participation in KTIP in non-public schools is voluntary, though some non-public schools require all teachers to hold state certification due to accreditation requirements. During the 2008-2009 school year, 108 interns from non-public schools participated in KTIP, utilizing approximately \$150,000 of KTIP funds.

EPSB decided at its May 2009 Board meeting to limit the number of interns for the 2009-2010 school year to 2,404 to accommodate budgetary constraints. EPSB staff will be monitoring the submitted Confirmations of Employment, giving first priority to the 208 interns who were denied in 2008-2009 due to budget. Only one (1) intern from a non-public school was denied.

Since KRS 161.030 does not mandate non-public participation into the internship program, priority of approvals for COEs for 2009-2010 was proposed.

2009-046

Motion made by Ms. Becky Sagan, seconded by Ms. Smith, to approve the Confirmation of Employment priorities for the Kentucky Teacher Internship Program for 2009-2010 as follows:

- 1. Interns from public schools who were denied in 2008-2009 due to budget*
- 2. Interns from public schools limited to the approved cap by the EPSB*
- 3. Interns from non-public schools who were denied in 2008-2009 due to budget*
- 4. Interns from non-public schools limited to the approved cap by the EPSB*

Vote: *Yes – 13*

No – 1 (Dr. Frank Cheatham)

Waivers

16 KAR 6:030. Examination Prerequisites for Principal Certification, Request to Waive the Minimum Score on the School Leaders Licensure Assessment (SLLA)

2009-047

Motion made by Mr. DeAtley, seconded by Dr. Cheatham, to approve the waiver of the minimum score of the SLLA established in 16 KAR 6:030.

Vote: Yes – 13

Recuse – 1 (Mr. Greg Ross)

Dr. Mark Wasicsko asked if candidates will be informed of the testing change. Mr. Brown responded that candidates will be informed after the board meeting.

16 KAR 5:040. Request to Waive Cooperating Teacher Eligibility Requirements, Dr. William Phillips on behalf of Ms. Jenna Fee and Tiffany Welch

2009-048

Motion made by Dr. Gunn, seconded by Ms. Bobbie Stoess, to approve the waiver requests of 16 KAR 5:040, Section 2 (c).

Vote: Unanimous

16 KAR 2:010. Request to Waive 15 New Graduate Hours for the Initial 5-Year Renewal of a Certificate, Ms. Jessica Phillips

2009-049

Motion made by Mr. DeAtley, seconded by Dr. Gunn, to approve the waiver request of Ms. Jessica Phillips.

Vote: Unanimous

Alternative Routes to Certification

Ms. Patricia Smaracko: Business and Marketing, Grades 5-12, Computer Information Systems, Grades P-12

2009-050

Motion made by Mr. Wasicsko, seconded by Ms. Sandy Sinclair-Curry, to approve the alternative route to certification application for Ms. Smaracko.

Vote: Unanimous

Mr. David Civello, Chemistry, Grades 8-12

2009-051

Motion made by Mr. DeAtley, seconded by Dr. Gunn, to approve the alternative route to certification application for Mr. Civello.

Vote: Unanimous

Ms. Jennifer Almeida, Music, All Grades

2009-052

Motion made by Ms. Sinclair-Curry, seconded by Ms. Stoess, to approve the alternative route to certification application for Ms. Almeida.

Vote: *Unanimous*

Board Comments

Dr. Rogers updated the board on the agency's LRC program review audit. He said that a draft report was sent for his review, and overall it is very positive and he is pleased with the report. There were eight recommendations for the EPSB: four of them involved the legal case tracking system and have been resolved. The LRC committee will meet on August 13 to review and finalize the report. This report will be discussed at the September Sunday night meeting.

**DISCIPLINARY MATTERS:
MINUTES OF CASE REVIEW
August 3, 2009**

Motion made by Dr. Cathy Gunn, seconded by Ms. Bobbie Stoess, 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. Zenaida Smith, to return to open session.

Vote: *Unanimous*

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

Frank Cheatham, Zenaida Smith, Becky Sagan, Lorraine Williams, Tom Stull, Mary Hammons, John DeAtley, Cathy Gunn, Cynthia York, Bobbie Stoess, Mark Wasicsko, and Gregory Ross.

Attorneys present were Alicia A. Sneed, Gary A. Stephens, Cynthia Grohmann, and Angela Evans.

Vote: *Unanimous*

Initial Case Review

| <u>Case Number</u> | <u>Decision</u> |
|--------------------|-----------------|
| 0905270 | Defer for proof |
| 090393 | Dismiss |
| 0903117 | Hear |
| 0903123 | Hear |
| 090397 | Defer for proof |
| 0905235 | Hear |
| 090265 | Dismiss |

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| | |
|----------|-----------------|
| 090263 | Dismiss |
| 0903147 | Dismiss |
| 0904161 | Defer for proof |
| 090122 | Admonish |
| 0904191 | Dismiss |
| 0905301 | Dismiss |
| 0905218 | Dismiss |
| 08111159 | Defer |
| 0903144 | Dismiss |
| 0903153 | Admonish |
| 0904167 | Hear |
| 0905299 | Admonish |
| 0904165 | Hear |
| 0905220 | Hear |
| 0904199 | Hear |
| 0903115 | Hear |
| 0903140 | Admonish |
| 0905308 | Admonish |
| 090391 | Admonish |
| 0904197 | Admonish |
| 0904175 | Hear |
| 0903127 | Hear |
| 0903101 | Hear |
| 0903119 | Hear |
| 0903149 | Hear |
| 0904187 | Hear |
| 0904185 | Hear |
| 0905253 | Hear |
| 0905227 | Hear |
| 0904183 | Hear |
| 0904173 | Hear |
| 0906390 | Hear |
| 090312 | Hear |
| 0904193 | Hear |
| 0905327 | Hear |
| 0904189 | Hear |
| 0903103 | Hear |
| 0904215 | Hear |
| 0905281 | Hear |
| 0906358 | Hear |
| 0905333 | Hear |
| 0905222 | Hear |
| 0905259 | Dismiss |
| 0905283 | Defer for proof |
| 0805822 | Dismiss |
| 0805829 | Dismiss |
| 08111144 | Hear |
| 07-0351 | Dismiss |

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| | |
|-----------|---------|
| 0804414 | Dismiss |
| 0805828 | Dismiss |
| 081011102 | Dismiss |
| 08010206 | Dismiss |
| 08111155 | Dismiss |

Character/Fitness Review

| <u>Case Number</u> | <u>Decision</u> |
|--------------------|-----------------|
| 09355 | Approve |
| 09404 | Approve |
| 09383 | Approve |
| 09395 | Approve |
| 09402 | Approve |
| 09407 | Approve |
| 09413 | Approve |
| 09416 | Approve |
| 09421 | Approve |
| 09418 | Approve |
| 09423 | Approve |
| 09432 | Approve |
| 09436 | Approve |
| 09443 | Approve |
| 09451 | Approve |
| 09453 | Approve |
| 09457 | Approve |
| 09381 | Approve |
| 09463 | Approve |
| 09464 | Approve |
| 09466 | Approve |
| 09470 | Approve |
| 09481 | Approve |
| 09482 | Approve |
| 09488 | Approve |
| 09490 | Approve |
| 09493 | Approve |
| 09494 | Deny |
| 09498 | Approve |
| 09499 | Approve |
| 09502 | Approve |
| 09517 | Approve |
| 09518 | Approve |
| 09527 | Approve |
| 09528 | Approve |
| 09530 | Approve |
| 09534 | Approve |

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| | |
|-------|---------|
| 09538 | Approve |
| 09542 | Approve |
| 09465 | Approve |
| 09525 | Approve |
| 09553 | Approve |
| 09571 | Approve |
| 09572 | Approve |
| 09557 | Approve |
| 09589 | Approve |
| 09559 | Approve |
| 09599 | Approve |
| 09603 | Approve |
| 09607 | Approve |
| 09606 | Approve |
| 09618 | Approve |
| 09622 | Approve |
| 09638 | Approve |
| 09617 | Approve |
| 09647 | Approve |
| 09642 | Approve |
| 09649 | Approve |
| 09648 | Approve |
| 09544 | Approve |
| 09628 | Approve |
| 09403 | Approve |
| 09662 | Approve |
| 09667 | Approve |
| 09679 | Approve |
| 09694 | Approve |
| 09680 | Approve |
| 08505 | Approve |

Agreed Orders

Case Number

Decision

0807946 (Marta Holladay)

Accept Agreed Order which admonishes Respondent as follows: A teacher has an obligation to protect the health, welfare, and safety of their students which includes refraining from any physical contact with a student. Respondent failed in that duty when she engaged in a physical altercation with a student. The Board will not tolerate any future misconduct of this nature by Respondent. In addition, Respondent must obtain 12 hour of professional development in the area of anger management within six (6) months from the date of this Agreed Order. Failure to complete said

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training within this time frame will result in an automatic suspension of her teacher's certificate and her certificate will remain suspended until such time that Respondent shows proof that she has complied with the terms of this Agreed Order.

Vote: *Unanimous*

08010276 (Brian Franklin) Accept Agreed Order which admonishes Respondent as follows: Teachers are charged with protecting the health, welfare, and safety of their students which includes administering appropriate discipline in the classroom. Respondent failed in that duty when he inappropriately disciplined a student in his classroom. The Board will not tolerate any future misconduct of this nature by Respondent in the future. In addition Respondent attended 18 hours of continuing education training through the Behavior Institute. This training will satisfy the requirement that he seek anger management training. Respondent has supplied a certificate of completion attached to this Agreed Order to establish that he has complied.

Vote: *11- Yes*

1- Dissent (Mr. DeAtley)

07112217 (John Smart) Accept Agreed Order dismissing Agency Case Number 07-112217 on the following condition. On or before September 1, 2009, Respondent shall complete twelve (12) hours of professional development/training, approved by the Board and at his own expense, in the areas of appropriate student/teacher boundaries and ethics. If Respondent fails to complete this training, Respondent shall not be issued any type of teaching certificate, including emergency, probationary, and/or temporary provisional certificates.

Vote: *Unanimous*

0803662 (Phillip Russell) Accept Agreed Order admonishing Respondent for using inappropriate language with his students. The Board reminds Respondent that as a coach and educator, he must consistently maintain a positive learning environment both in the classroom and on the basketball court. As part of this agreement, Respondent shall provide written evidence to the Board, prior to December 1, 2009, that he has

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successfully completed six hours of professional development/training in the areas of ethics and appropriate teacher/student boundaries, approved by the Board and at his own expense. Should Respondent fail to satisfy this requirement, his certificate shall automatically be suspended and remain so until he submits written proof of completion to the Board.

Vote: *Unanimous*

0803666 (Lonnie Winston) Accept Agreed Order Agency admonishing Respondent for conduct unbecoming a teacher. The Board reminds Respondent that he has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students. An educator should not touch a student except to assist the student or to defend oneself or others. The Board will not tolerate any further incidents of misconduct from Respondent. This settlement agreement is expressly conditioned upon Respondent providing written proof to the Board that he has received twelve (12) hours of professional development/training in classroom management as approved by the Board, no later than December 31, 2009. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition, his certificate shall be suspended and shall remain so until the condition is met.

Vote: *Unanimous*

07-06112 (Kathy Lucas) Accept Agreed Order admonishing Respondent for neglect of duty. The Board reminds Respondent that she has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students. As an educator, Respondent must ensure that her students are never placed in potentially dangerous situations. The Board will not tolerate any further incidents of misconduct from Respondent. This agreed order is expressly conditioned upon Respondent providing written proof, by December 31, 2009, that she has attended six (6) hours of safe crisis management training. If Respondent fails to submit the required report by the due date, any and all certificates issued to Respondent shall be automatically suspended until

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this condition has been met. Any expense for the training shall be paid by Respondent.

Vote: *Unanimous*

07-06110 (Kerri Adkins)

Accept Agreed Order admonishing Respondent for neglect of duty. The Board reminds Respondent that she has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students. As an educator, Respondent must ensure that her students are never placed in potentially dangerous situations. The Board will not tolerate any further incidents of misconduct from Respondent. This agreed order is expressly conditioned upon Respondent providing written proof, by December 31, 2009, that she has attended six (6) hours of safe crisis management training. If Respondent fails to submit the required report by the due date, any and all certificates issued to Respondent shall be automatically suspended until this condition has been met. Any expense for the training shall be paid by Respondent.

Vote: *Unanimous*

06-0107 (Earl Roark)

Accept Agreed Order which states as follows:
Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky for a period of twenty (20) years from the date of acceptance of this Order by the Board. In addition to any educational requirements, issuance of a Kentucky teaching or administrative certificate to Respondent, or on his behalf, at the conclusion of the twenty (20) year revocation period is expressly conditioned upon Respondent providing written evidence to the Board, at the time of application, that he has complied with the following:
Respondent shall complete twelve (12) hours of professional development/training in the areas of sexual harassment, ethics and appropriate teacher/student relationships and/or boundary issues, as approved by the Board. Any expense incurred for the program shall be paid by Respondent.

Vote: *Unanimous*

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081022 (Kim Habig)

Accept Agreed Order which states as follows:
Respondent shall not apply for certification until July 1, 2009 nor shall any application be submitted to the Board upon her behalf until July 1, 2009. The Board agrees that in considering any subsequent application for certification on or after July 1, 2010, submitted by Respondent or on her behalf, it may not solely rely upon any of the underlying facts or circumstances that are the subject of *Habig v. Education Professional Standards Board*, Case Number CF #081022 as a basis to deny Respondent's application. The issuance of any Kentucky teaching certificate to Respondent, or on her behalf, on or after July 1, 2009 is expressly conditioned upon Respondent providing at the time of application, in addition to proof of any academic requirements necessary for certification, written evidence to the Board of the following: 1. With her application, Respondent shall supply the Board with a current national and state criminal background check. Any expense for the criminal background check shall be paid by Respondent. 2. With her application, Respondent shall supply to the Board letters of recommendation from two (2) Kentucky certified educators in good standing with the Board and from her current employer which confirm that Respondent is morally and ethically fit to hold a teaching certificate in the Commonwealth of Kentucky. 3. Respondent shall submit documentation from her current treatment provider or Alcoholics Anonymous sponsor that she is maintaining sobriety and is still seeking support and continued assistance in maintaining her sobriety. Failure to meet any of the above conditions will result in Respondent being denied issuance of a Kentucky teaching certificate. Any and all certificates issued to Respondent after July 1, 2009 shall be subject to the following probationary conditions for a period of four (4) years from the date of initial issuance of the first certificate: 1. Respondent shall submit documentation by December 31 and June 30 of each year of the probationary period from her current treatment provider or Alcoholics Anonymous sponsor that she is maintaining sobriety and is still seeking support and continued assistance in maintaining her sobriety. If Respondent fails to submit the required report by the due date, any and

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all certificates issued to Respondent shall be automatically suspended until this condition has been met. 2. Upon securing any teaching position during the probationary period, Respondent will make written disclosure of her status as a recovering alcoholic to the school's principal. A copy of this letter will be filed with the Board. If Respondent fails to submit the copy of the letter within fifteen (15) days of accepting the position, any and all certificates issued to Respondent shall be automatically suspended until this condition has been met. 3. Respondent shall have no disciplinary actions involving use of alcohol or any controlled substance by any school district or educational licensing/certification agency in the United States. The parties agree that "disciplinary action" is defined as any admonishment, reprimand, suspension or termination issued by any school district or state agency and upheld after a due process hearing if requested by Respondent. If Respondent receives any disciplinary actions involving the use of alcohol or any controlled substance, any and all certificates issued to Respondent shall be automatically permanently revoked. 4. Respondent shall submit to random drug testing to be administered by a provider approved by the Board. Any expense for the drug test shall be paid by Respondent. If any drug test is positive for alcohol, any illegal substances, or byproducts of alcohol or any illegal substances, Respondent's certificate or certificates shall be automatically permanently revoked. 5. Respondent shall have no further criminal citations, arrests, charges, or convictions involving alcohol. Respondent shall submit a state criminal background records report to the Board by June 30 of each year of the probationary period. Any expense for the state criminal background records report shall be paid by Respondent. If Respondent fails to submit the required report by the due date, any and all certificates issued to Respondent shall be automatically suspended until this condition has been met. If Respondent is criminally cited, arrested, or charged for any crimes involving alcohol, any and all certificates issued to Respondent shall be automatically suspended until the conclusion of the criminal matter. If

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Respondent is convicted for any crime involving alcohol, any and all certificates issued to Respondent shall be automatically permanently revoked. Respondent is aware that should she violate KRS 161.120, either during or following this four (4) year probationary period, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

07-0221 (Jamie Buchshire) Accept Agreed Order suspending Respondent's certificate, including any and all endorsements, for a period of one year from the date of this order. 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. Upon reissuance of Respondent's certificate, and any future endorsements or new areas of certification, the certificate shall be subject to the following probationary conditions for a period of two years from the date of acceptance of this Order by the Board: 1) This settlement agreement is expressly conditioned upon Respondent providing written proof to the Board that she has received three (3) hours of CATS training and six (6) hours of ethics training no later than June 1, 2011. Any expense incurred for said training shall be paid by Respondent. Should Respondent violate the condition outlined above, her certificate shall be automatically suspended until she provides written proof to the Board that she has completed said condition. 2) Additionally, should Respondent commit any further violation of testing regulations and procedures during the two year probationary period, her certificate shall be automatically suspended for a period of two years based on the underlying facts of this case. If the violation includes new allegations of misconduct pursuant to KRS 161.120, the Board may open a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

06-12284(KennethKillebrew)Accept Agreed Order suspending Respondent's *Professional Certificate for School Administration and Supervision: Endorsement for Secondary School Principal, Grades 7-12*, for a

period of one (1) year retroactively beginning January 1, 2007. In addition, Respondent shall not apply shall neither apply for, nor be issued, an administrative certificate in the Commonwealth of Kentucky during the one (1) year suspension period. Respondent shall immediately surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601. Reinstatement of Respondent's *Professional Certificate for School Administration and Supervision: Endorsement for Secondary School Principal, Grades 7-12*, at the conclusion of the one (1) year suspension period or issuance of any other administrative certificate to Respondent is expressly conditioned upon Respondent providing written evidence to the Board that he has complied with the following: 1. Respondent shall be assessed and evaluated by a licensed psychiatrist or psychologist. The psychiatrist or psychologist shall be pre-approved by the Board and shall contact the Division of Legal Services prior to the assessment for records regarding Respondent and shall report his/her findings directly to Board. Prior to re-issuance or issuance of any administrative certificate to Respondent, the approved provider shall file with the Board a release stating that Respondent is released to return to work as an administrator in a school setting. Any expense for the evaluation or the follow-up reports shall be paid by Respondent. 2. Respondent shall undergo a comprehensive drug abuse assessment by a mental health professional certified to assess and treat chemical dependency and approved by the Board. Respondent shall comply with any treatment recommendations recommended by the mental health professional and supply proof of his compliance to the Board. Any expense for the evaluation or the treatment shall be paid by Respondent. 3. Respondent shall successfully complete twelve (12) hours of sexual harassment awareness training. This training must be conducted by a provider approved by the Board and completed at Respondent's expense. If Respondent has not met each of the above conditions by the conclusion of the one (1) year suspension period, Respondent's *Professional Certificate for School*

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Administration and Supervision: Endorsement for Secondary School Principal, Grades 7-12 shall remain suspended until such time as all conditions are met. In addition, Respondent shall neither apply for, nor be issued, additional administrative certification in the Commonwealth of Kentucky until all the above conditions have been met. Respondent is aware that should he have any further violations of KRS 161.120, the Board shall initiate a new disciplinary action and seek additional sanctions against his teaching and administrative certifications.

Vote: *Unanimous*

0805818 (James Ward)

Accept Agreed Order suspending Respondent's certificate for a period of two (2) years retroactively beginning April 22, 2008. Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky until the conclusion of the revocation period. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601. Reinstatement of any Kentucky teaching or administrative certificate to Respondent following the two (2) year suspension period is expressly conditioned on the following: Respondent shall supply documentation to the Board showing his compliance with any conditions of the pretrial diversion program as stipulated in Boyle County Circuit Court case number 08-CR-88. Respondent's teaching certificate will not be reinstated until he meets the above condition. Upon reinstatement, any and all certificates issued to Respondent shall be subject to the following probationary conditions: 1. Respondent shall submit documentation by September 31, 2013 that he has successfully completed the Boyle County pretrial diversion program and that his felony charges have been Dismissed-Diverted. If Respondent fails to submit the required documentation by the due date, any and all certificates issued to Respondent shall be automatically suspended until this condition has been met. If Respondent fails to successfully complete the Boyle County pretrial diversion

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program, any and all certificates issued to Respondent shall be permanently revoked. 2. Respondent shall have no disciplinary actions issued by any school district or educational licensing/certification agency in the United States. The parties agree that "disciplinary action" is defined as any admonishment, reprimand, suspension or termination issued by any school district or state agency and upheld after a due process hearing if requested by Respondent. If Respondent receives any disciplinary actions, any and all certificates issued to Respondent shall be automatically permanently revoked. 1. Respondent shall not take any position in a Kentucky school district or in a Kentucky school or education related agency that allows him any access to money or financial accounts. If Respondent is required to collect money from students in a classroom setting, he shall establish safety protocols with the school principal to ensure any funds collected are properly distributed. These safety protocols shall be filed with the Board. Respondent shall file the safety protocols and documentation substantiating that he does not have any educational position that allows him any access to money or financial accounts upon taking any new school position and with any application for renewal of his certificate or additional certification. If Respondent violates this condition, any and all certificates issued to him shall be automatically permanently revoked. 2. Respondent shall have no further criminal citations, arrests, charges, or convictions other than minor traffic violations. Respondent shall submit a state criminal background records report to the Board with any application for renewal of his 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 his certificate or the additional certification shall be denied. If Respondent is criminally cited, arrested, or charged for any crimes other than minor traffic violations, any and all certificates issued to Respondent shall be automatically suspended until the conclusion of the criminal matter. If Respondent is convicted for any crime other than minor traffic violations, any and all certificates issued to Respondent shall be

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automatically permanently revoked. Respondent is aware that should he violate KRS 161.120, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

07-09157 (Brett Coogle)

Accept Agreed Order Certificate suspending Respondent's certificate, including any and all endorsements, retroactively beginning May 22, 2007 for a two (2) year period. Reinstatement of Respondent's certificate at the conclusion of the balance of the suspension period is expressly conditioned upon Respondent providing written evidence to the Board that he has complied with the following: 1. Respondent shall complete twelve (12) hours of professional development/training in the areas of professional teaching ethics as approved by the Board. Any expense for the professional development/training shall be paid by Respondent. 2. Respondent shall be assessed and evaluated by a licensed psychiatrist or psychologist who is pre-approved by the Board. The psychiatrist or psychologist shall contact the Division of Legal Services prior to the assessment for records regarding Respondent and shall report his/her findings directly to Board. Prior to reinstatement of Respondent's certificate, the approved provider shall file with the Board a release stating that Respondent is released to return to work in a school setting. Any expense for the evaluation or the follow-up reports shall be paid by Respondent. Upon reinstatement, Respondent's certificate, including all specializations and endorsements, shall be subject to the following probationary condition for a period of two (2) years from the date of acceptance of this Order by the Board. 1. Respondent shall receive no further disciplinary action from any school district in which he is employed. "Disciplinary action" is defined as any public admonishment/reprimand, suspension without pay, or termination issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. By entering into this Agreed Order, Respondent agrees that should he fail to satisfy this condition, his certificate shall be automatically suspended for an additional period of

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two (2) years. Respondent is aware that should he 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. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of her certificate to the EPSB, by delivering or mailing to 100 Airport Road 3rd Floor, Frankfort, Kentucky 40601. Failure to do so shall result in further disciplinary action by the Board.

Vote: *Unanimous*

06-06163 (Donald DeKorte) Accept Agreed 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 an instructor should only place their hands on a student in case of an emergency or to prevent harm to others. The Board will not tolerate any further incidents of misconduct from Respondent. This settlement agreement is expressly conditioned upon Respondent providing written proof to the Board that he has met the following conditions no later than December 31, 2009: 1. Professional development/training in appropriate classroom management/discipline; All training must be approved by the Board and any expense incurred for said training shall be paid by Respondent. Respondent agrees that should he fail to satisfy the above conditions, his certificate shall be automatically suspended until Respondent provides written proof to the Board that he has completed the conditions.

Vote: *Unanimous*

06-09229 (Linda Crouch) Accept Agreed Order reminding Respondent that she 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 a teacher should only place their hands on a student in an emergency situation or to protect the safety of others. The Board will not tolerate any further substantiated incidents of misconduct from Respondent.

Vote: *Unanimous*

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08091016 (Jeremy Smith) Accept Agreed Order suspending Respondent's certificate for five (5) years beginning on the date the Board approves this Agreed Order. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his certificate to the EPSB, by delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601. After the five (5) year suspension ends, Respondent shall be placed on probation for a period of two (2) years. Should Respondent be convicted of any felony or misdemeanor offense during the period of probation, his certificate shall be immediately suspended for two (2) years, and the Board reserves the right to seek additional sanctions. During the period of probation, Respondent shall provide the Board with copies of all medication he is prescribed, and Respondent shall submit to random drug testing. If Respondent tests positive for any illegal substance or if testing reveals quantities in excess of therapeutic levels, his certificate shall be immediately suspended for a period of two (2) years, and the Board reserves the right to seek additional sanctions.

Vote: *Unanimous*

07-07118 (Howard Fabing) Accept Agreed Order admonishing Respondent for having contact outside of normal school hours with a student he knew, or had reason to believe, had romantic feelings for him. While there is no credible evidence that Respondent had any inappropriate physical, verbal, or written contact with this student, nor did he initiate such contact, Respondent did act out of concern for the student, who had made threats of physical harm to herself, and his actions did create an appearance of impropriety, and resulted in a violation of a no contact order given by his principal. Respondent shall complete six (6) hours of ethics training by December 31, 2010, at his own expense. This requirement shall include training in student-teacher boundaries. If Respondent fails to complete the required training, his certificate shall be suspended until he provides proof that he is in compliance.

Vote: *Unanimous*

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07122663 (Daniel Mattingly) Accept Agreed Order suspending Respondent's certificate for a period of two (2) years, with the suspension beginning retroactively on January 1, 2008 and ending on December 31, 2009. Respondent shall surrender the original and all copies of this certificate immediately, by first class mail or personal delivery to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601. Reinstatement of Respondent's certificate is conditioned upon Respondent submitting proof from a qualified mental health professional stating that Respondent is mentally fit to return to the classroom. Following reinstatement, Respondent's certificate shall be subject to the following conditions: 1. In accordance with KRS 161.175, Respondent shall submit to random drug testing to be administered by a provider approved by the Board for a period of two (2) years. Any expenses for the drug testing shall be paid by Respondent. If any drug test is positive for illegal substances or is in excess of therapeutic levels generally acceptable in the medical community, Respondent's certificate shall be automatically suspended for a period of two (2) years and shall be subject to additional sanction by the Board pursuant to KRS 161.120. 2. Respondent shall not be convicted of any crime involving the use or possession of any controlled substance or alcohol, including driving under the influence. Should Mattingly violate this condition, his certificate shall be automatically suspended for a period of two (2) years and shall be subject to additional sanction by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

07-07130 (Phillip Thrasher) Accept Agreed Order which states as follows: While it is admirable that Respondent attempts to engage students who are shy and who do not actively participate in class, he is admonished that his action in this case was ill- advised and further incidents of inappropriate physical contact will not be tolerated.

Vote: *Unanimous*

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07-07135 (Leah Smith) Accept Agreed Order which states as follows: Respondent shall complete twelve (12) hours of classroom management training, as approved by the Board, by December 31, 2010. Any expenses incurred for said training shall be paid by Respondent. Respondent agrees that should she fail to satisfy this condition, her certificate shall be automatically suspended until she provides written proof to the Board that she has completed said training.

Vote: *Unanimous*

07-09155 (Crystal Wells) 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*

06-05108 (Bonita Greer James) Accept Agreed Order dismissing Case number 06-05108 without prejudice.

Vote: *Unanimous*

0805825 (Leslie Smith) Accept Agreed Order revoking Respondent's teaching certificate for a period of twenty (20) 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 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, issuance of a Kentucky teaching or administrative certificate to Respondent, or on her behalf, at the conclusion of the twenty (20) year revocation period is expressly conditioned upon Respondent providing written proof to the Board, at the time of application, that she has complied with the following: Respondent shall complete twelve (12) hours of professional development/training in the areas of ethics and appropriate teacher/student relationships and/or boundary issues, as approved by the Board. Any expense incurred for the program shall be paid by Respondent.

Vote: *Unanimous*

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0804740 (Pearl Rivers Murphy) Accept Agreed Order admonishing Respondent for using poor professional judgment in her interactions with students. The Board reminds Respondent that as a teacher she must take care to never use her authority with students for her own personal advantage.

Vote: *Unanimous*

07-0119 (David Bird)

Accept Agreed Order admonishing Respondent for creating a situation where a student gained access to his computer password and confidential information regarding her classmates. A teacher should never allow a student access to his computer password nor should he allow a student to enter grades on his behalf. his practice violates FERPA, HIPPA, and the Professional Code of Ethics for School Certified Personnel. As a teacher, it is Respondent's duty to keep confidential all student information and to ensure that no student is given authority, either express or implied, to manipulate the grading or assessment of another. Prior to his return to a position that requires Kentucky certification, Respondent shall provide the following to the board. 1. Written evidence from a Kentucky licensed and/or certified physician, approved by the Board, that he is fit to return to the classroom. 2. Written proof of three hours of professional development/training, approved by the Board, in ethics with an emphasis on student/teacher boundaries and professionalism. Any expense involved in meeting these requirements shall be paid by Respondent. Should Respondent violate this agreement, his certificate shall be automatically suspended and remain so until all conditions are met.

Vote: *Unanimous*

06-12287 (Betty Deitsch)

Accept Agreed Order which states as follows: The Board reminds Respondent that she 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 an instructor should only place their hands on a student in case of an emergency or to prevent harm to others. The Board will not tolerate any further incidents of misconduct from Respondent. This

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settlement agreement is expressly conditioned upon Respondent providing written proof to the Board that she has met the following conditions no later than December 31, 2009: 1. Professional development/training in appropriate classroom management/discipline; 2. Assistance in anger management. Any expense incurred for the above training shall be paid by Respondent. Respondent agrees that should she fail to satisfy the above conditions, her certificate shall be automatically suspended until Respondent provides written proof to the Board that she has completed the conditions.

Vote: *Unanimous*

07-0484 (Frank Pierce)

Accept Agreed Order suspending Respondent's certificate for two (2) years retroactively from April 24, 2007 through April 14, 2009. Respondent shall surrender the original and all copies of his certificate immediately, by first class mail or personal delivery to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601. From the date this order is approved by the Board, Respondent's certificate shall be reissued and subject to the following probationary conditions for a period of two (2) years. 1. By the end of the probationary period, Respondent shall submit written proof that he has completed twelve (12) hours of professional development/training in the area of ethics as approved by the Board. Any expense for the training shall be paid by Respondent. 2. By December 31, 2009, Respondent shall be assessed for anger management issues and follow through with any treatment recommendations with a provider approved by the Board. Any expense incurred for the assessment or counseling shall be paid by the Respondent. 3. Respondent shall complete a Board-approved course in Classroom Management with a focus on de-escalating violent situations. Any expense for required training shall be paid by the Respondent. 4. Respondent shall receive no disciplinary action from any school district in which he is employed. "Disciplinary action" is defined as any admonishment/reprimand, suspension, or termination issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or

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arbitration process. Should Respondent violate any of these conditions, his certificate and any and all endorsements shall be automatically revoked for a period of two (2) years and subject to additional disciplinary sanctions pursuant to KRS 161.120.

Vote: *Unanimous*

0804785 (Tracey Glass-Lamb) Accept Agreed Order admonishing Respondent for fiscal mismanagement, specifically for failing to follow appropriate accounting procedures with regard to purchases and reimbursements made with school funds. Respondent's Professional Certificate for Instructional Leadership, Principal, Grades K-12, Level 2, and Professional Certificate for Instructional Leadership- Supervisor of Instruction, Grades K-12, Level II, are subject to the following probationary conditions for two years from the date of acceptance of this Order by the Board. 1. On or before January 1, 2010, Respondent shall submit written proof to the Board that she has completed twelve hours of professional development/training, approved by the Board and at her own expense, in the areas of ethics and professionalism. 2. On or before January 1, 2010, Respondent shall submit written proof to the Board that she has completed three hours of professional development/training, approved by the Board and at her own expense, in school law. 3. On or before August 1, 2010, Respondent shall submit written proof to the Board that she has completed twelve hours of professional development/training, approved by the Board, in Redbook and appropriate accounting procedures. These hours are in addition to the twenty-one participant hours of instructional leadership training required by KRS 156.101(4)(b)2. 4. The Board may automatically suspend the above identified certificates for up to two years if a school district takes any disciplinary action against Respondent that would allow a due process hearing pursuant to KRS 161.790, and if after such hearing, the Tribunal upholds the disciplinary action. If Respondent foregoes her right to a hearing pursuant to KRS 161.790 and the disciplinary action stands as a result, the Board may automatically suspend the above identified certificate for up to two years. Should Respondent fail to satisfy conditions 1 through 3 in the time

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provided, the Board shall suspend the above identified certificates until such conditions are met. If Respondent violates condition 4, the Board may automatically suspend the above identified certificates for up to two years and may initiate proceedings to seek additional disciplinary sanctions including revocation of any and all issued certificates.

Vote: *Unanimous*

- 08121170 (Elaine Kelleher) Accept Agreed Order retroactively suspending Respondent's certificate for a period of six months beginning June 29, 2009. Respondent shall surrender the original and all copies of this certificate immediately, by first class mail or personal delivery to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601. At the conclusion of the six (6) month suspension period, reinstatement of any Respondent's certificate is expressly conditioned upon Respondent providing to the Board the following.
1. Respondent shall submit a letter from her probation officer stating that Respondent has complied and continues to comply with all terms of probation set forth in the Court's Order of July 2, 2009.
 2. Respondent shall provide an update from her treating therapist that she remains in compliance with all treatment recommendations and that her alcohol abuse remains in remission.
 3. Respondent shall provide proof that she has completed fifty (50) hours of community service at a non-profit rehabilitation hospital. Respondent's certificate shall not be reinstated until each of the above conditions has been met. Upon reinstatement, any certificate the Board issues to or on behalf of Respondent, shall be subject to the following probationary conditions.
 1. By July 1 of each year of certification, Respondent shall submit a copy of her current criminal record as prepared by the Kentucky State Police.
 2. Respondent shall continue to comply with all terms of probation set forth in the Court's Order of July 2, 2009 until she is released from supervision and the period of probation expires. Respondent shall supply annual reports from her probation officer stating that she is in compliance with the terms of her probation by July

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1 of each year she remains on probation. 3. Respondent shall not be convicted of any crime involving the use of any controlled substance and/or alcohol. Should Respondent violate any of these conditions, her certificate and any and all endorsements shall be automatically suspended for a period of two years and subject to additional disciplinary sanctions pursuant to KRS 161.120.

Vote: *Unanimous*

Recommended Order

Case Number

Decision

06-0101 (Charles Spartman) Adopt the Hearing Officer's Findings of Facts, Conclusions of Law, and Recommended Order to suspend Respondent's certificate for four days with credit for the local suspension.

Vote: *Unanimous*

05-0105 (Dennis Cornett) Adopt the Hearing Officer's Recommended Order of Default and revoke Respondent's certificate.

04-0216 (Wade McNabb) Adopt the Hearing Officer's Recommended Order on Written Record and revoke Respondent's certificate.

Vote: *Unanimous*

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

Vote: *Unanimous*

Meeting adjourned at 4:30 p.m.

Next Meeting:

September 14, 2009
9:00 AM
EPSB Board Room
Frankfort, Kentucky

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information Item A

Information Item:

16 KAR 2:010. Kentucky Teaching Certificates, Notice of Intent

Applicable Statutes:

KRS 161.6451, 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.

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 were approved by the EPSB in its May 2009 meeting. The final adoption of many of the recommendations will require changes to 16 KAR 2:010.

Key areas addressed by the proposed regulation are as follows:

- Permission for holders of the current Kentucky certificate for Middle Grades Mathematics, Grades 5-9, to teach Algebra I in grades 10 and 11;
- The addition of a new certification area for Literacy Specialist, P-12;
- The addition of a new Reading endorsement, Grades P-12;
- The elimination of the endorsement for School Nutrition;
- The addition of a new endorsement for Elementary Mathematics Specialist, Grades P-5;
- The addition of a new endorsement for American Sign Language, Grades P-12;
- Modifications to the TC-HQ certification option to move the successful content assessment score(s) into the 90 point formula, clarify the experience accepted, and make changes in the certification areas affected.

The proposed regulation and revised TC-HQ application form are being presented for the Board's consideration at this time. This item will be placed on the October agenda for possible final action.

Contact Person:

Mr. Michael C. Carr, Director
Division of Certification
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Executive Director

Date:

September 14, 2009

1 **16 KAR 2:010. Kentucky teaching certificates.**

2 RELATES TO: KRS 158.6451, 161.020, 161.028(1), 161.030

3 STATUTORY AUTHORITY: KRS 161.028(1)(a), (b), (f), 161.030

4 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1)(a) requires the
5 Education Professional Standards Board to establish the standards for obtaining and
6 maintaining a teaching certificate. KRS 161.028(1)(b) requires the board to set standards
7 for programs for the preparation of teachers and other professional school personnel.
8 KRS 161.028(1)(f) requires the board to issue and renew any certificate. This
9 administrative regulation establishes the Kentucky certification to be issued for teaching
10 positions.

11 Section 1. Definitions. (1) "Approved program of preparation" means a program
12 which has been approved by the Education Professional Standards Board under 16 KAR
13 5:010 for a specific certification or which has been approved for certification by the state
14 education agency of another state.

15 (2) "Assessments" means the tests of knowledge and skills authorized by KRS
16 161.030 and established in 16 KAR 6:010.

17 (3) "Base certificate" means a stand-alone license to teach which encompasses
18 authorization to teach introductory and interdisciplinary courses in related fields.

19 (4) "Beginning teacher internship" means one (1) year of supervision, assistance, and
20 assessment required by KRS 161.030 and established in 16 KAR 7:010.

21 (5) "Certificate endorsement" means an addition to a base or restricted base
22 certificate, which is limited in scope and awarded on the basis of completion of an

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1 endorsement program or a combination of educational requirements, assessments and
2 experience as outlined in Section 5 of this administrative regulation.

3 (6) "Certificate extension" means an additional base or restricted base certificate in a
4 content area or grade range.

5 (7) "Kentucky teacher standards" means the standards established in 16 KAR 1:010
6 that identify what a Kentucky teacher shall know and be able to do.

7 (8) "Major" means an academic area of concentration consisting of at least thirty (30)
8 hours of coursework.

9 (9) "Professional teaching certificate" means the document issued to:

10 (a) An individual upon successful completion of the beginning teacher internship; or

11 (b) An applicant for whom the testing and internship requirement is waived under
12 KRS 161.030 based on preparation and experience completed outside Kentucky.

13 (10) "Provisional teaching certificate" means the document issued to an individual for
14 the duration of the beginning teacher internship program.

15 (11) "Restricted base certificate" means a stand-alone license to teach in a specific
16 subject area of certification which is the only subject area that can be taught under this
17 limited certificate.

18 (12) "Statement of eligibility" means the document issued to an applicant upon
19 completion of an approved program of preparation and successful completion of the
20 assessments.

21 Section 2. Certificate Issuance. (1) A statement of eligibility for a provisional
22 teaching certificate shall be issued to an applicant who has submitted a completed TC-1
23 application form and has successfully completed:

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- 1 (a)1. At least a bachelor's degree with:
- 2 a. A cumulative grade point average of 2.50 on a 4.0 scale; or
- 3 b. A grade point average of 3.00 on a 4.0 scale on the last sixty (60) hours of credit
- 4 completed, including undergraduate and graduate coursework; or
- 5 2. As required by Section 4(2)(g)6 or (4)(e) of this administrative regulation, a
- 6 master's degree with:
- 7 a. A cumulative grade point average of 2.50 on a 4.0 scale; or
- 8 b. A grade point average of 3.00 on a 4.0 scale on the last sixty (60) hours of credit
- 9 completed, including undergraduate and graduate coursework;
- 10 (b) An approved program of preparation; and
- 11 (c) The assessments corresponding to the certificate identified in Section 4 of this
- 12 administrative regulation for which application is being made.

13 (2) Upon confirmation of employment in an assignment for the grade level and

14 specialization identified on a valid statement of eligibility, a Provisional Teaching

15 Certificate shall be issued for the duration of the beginning teacher internship established

16 under KRS 161.030.

17 (3) Upon successful completion of the internship, a Professional Teaching Certificate

18 shall be issued, valid for a four (4) year period.

19 Section 3. Professional Teaching Certificate Renewal. (1) The renewal shall require

20 completion of a fifth-year program of preparation which is consistent with:

- 21 (a) The Kentucky teacher standards established in 16 KAR 1:010; or

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1 (b) The standards adopted by the Education Professional Standards Board for a
2 particular professional education specialty and established in an applicable administrative
3 regulation in KAR Title 16.

4 (2) The first five (5) year renewal shall require:

5 (a) Completion of a minimum of fifteen (15) semester hours of graduate credit
6 applicable to the fifth-year program established in 16 KAR 8:020 by September 1 of the
7 year of expiration of the certificate; or

8 (b) Completion of the professional development plan and a partial portfolio for the
9 continuing education option established in 16 KAR 8:030.

10 (3) The second five (5) year renewal shall require:

11 (a) Completion of the fifth-year program established in 16 KAR 8:020 by September
12 1 of the year of expiration of the certificate; or

13 (b) Completion of the professional development plan and a full portfolio for the
14 continuing education option established in 16 KAR 8:030.

15 (4) Each subsequent five (5) year renewal shall require completion of the renewal
16 requirements established in 16 KAR 4:060.

17 Section 4. Grade Levels and Specializations. (1) Preparation for a teaching certificate
18 shall be based on:

19 (a) The Kentucky teacher standards established in 16 KAR 1:010;

20 (b) The accreditation and program approval standards established in 16 KAR 5:010,
21 including the content standards of the relevant national specialty program associations;
22 and

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1 (c) The goals for the schools of the Commonwealth specified in KRS 158.6451 and
2 the student academic expectations established in 703 KAR 4:060.

3 (2) A base certificate shall be issued specifying one (1) or more of the following
4 grade level and specialization authorizations:

5 (a) Interdisciplinary early childhood education, birth to primary, established in 16
6 KAR 2:040;

7 (b) Elementary school: primary through grade five (5) to include preparation in the
8 academic disciplines taught in the elementary school.

9 1. The elementary certificate shall be valid for teaching grade six (6) if grade six (6)
10 is taught in a self-contained classroom or in a school organization in which grade six (6)
11 is housed with grade (5) in the same building.

12 2. A candidate for the elementary certificate may simultaneously prepare for
13 certification for teaching exceptional children.

14 (c)1. Middle school option 1: grades five (5) through nine (9) with the equivalent of
15 one (1) major to be selected from:

16 a. English and communications;

17 b. Mathematics;

18 c. Science; or

19 d. Social studies;

20 2. Middle school option 2: grades five (5) through nine (9) with two (2) middle school
21 teaching fields to be selected from:

22 a. English and communications;

23 b. Mathematics;

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1 c. Science; or

2 d. Social studies;

3 3. The grades five (5) through nine (9) mathematics certificate shall be valid for
4 teaching Algebra I grades ten (10) and eleven (11).

5 4. A candidate who chooses to simultaneously prepare for teaching in the middle
6 school and for an additional base or restricted base certificate issued under this subsection
7 or subsection (3) of this section, including certification for teaching exceptional children,
8 shall be required to complete one (1) middle school teaching field;

9 (d) Secondary school: grades eight (8) through twelve (12) with one (1) or more of
10 the following majors:

11 1. English;

12 2. Mathematics;

13 3. Social studies;

14 4. Biology;

15 5. Chemistry;

16 6. Physics; or

17 7. Earth science;

18 (e) Grades five (5) through twelve (12) with one (1) or more of the following majors:

19 1. Agriculture;

20 2. Business and marketing education;

21 3. Family and consumer science;

22 4. Industrial education; or

23 5. Technology education;

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1 (f) All grade levels with one (1) or more of the following specialties:

2 1. Art;

3 2. A foreign language;

4 3. Health;

5 4. Physical education;

6 5. Integrated music;

7 6. Vocal music;

8 7. Instrumental music; [øø]

9 8. School media librarian; or

10 9. Literacy specialist, which shall require a master's degree in reading or literacy, or

11 (g) Grades primary through twelve (12) for teaching exceptional children and for
12 collaborating with teachers to design and deliver programs for preprimary children, for
13 one (1) or more of the following disabilities:

14 1. Learning and behavior disorders;

15 2. Moderate and severe disabilities;

16 3. Hearing impaired;

17 4. Hearing impaired with sign proficiency;

18 5. Visually impaired;

19 6. Communication disorders, valid at all grade levels for the instruction of exceptional
20 children and youth with communication disorders, which shall require a master's degree
21 in communication or speech language pathology, in accordance with 16 KAR 2:050,
22 Section 2; or

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1 7. Communication disorders - SLPA only, valid at all grade levels for the instruction
2 of exceptional children and youth with communication disorders, which shall require a
3 baccalaureate degree in communication or speech language pathology, in accordance
4 with 16 KAR 2:050, Section 3.

5 (3) A restricted base certificate shall be issued specifying one (1) or more of the
6 following grade level and specialization authorizations:

- 7 (a) Psychology, grades 8-12;
- 8 (b) Sociology, grades eight (8) through twelve (12);
- 9 (c) Journalism, grades eight (8) through twelve (12);
- 10 (d) Speech/media communications, grades eight (8) through twelve (12);
- 11 (e) Theater, primary through grade twelve (12);
- 12 (f) Dance, primary through grade twelve (12);
- 13 (g) Computer information systems, primary through grade twelve (12); or
- 14 (h) English as a second language, primary through grade twelve (12).

15 (4) An endorsement to certificates identified in subsection (2) or (3) of this section
16 shall be issued specifying one (1) or more of the following grade level and specialization
17 authorizations:

- 18 (a) Computer science, grades eight (8) through twelve (12);
- 19 (b) English as second language, primary through grade twelve (12);
- 20 (c) Gifted education, primary through grade twelve (12);
- 21 (d) Driver education, grades eight (8) through twelve (12);
- 22 (e) Reading, primary through grade twelve (12); [~~Reading and writing which shall~~
23 ~~require a master's degree in reading, primary through grade twelve (12);~~]

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- 1 (f) Instructional computer technology, primary through grade twelve (12);
- 2 (g) Teacher Leader, all grades;
- 3 (h) Other instructional services - school safety, primary through grade twelve (12);
- 4 (i) Other instructional services - environmental education, primary through grade
- 5 twelve (12);

6 (j) Other instructional services – elementary mathematics specialist, primary through
7 grade five (5); [school nutrition, primary through grade twelve (12)]. The endorsement for
8 school nutrition shall be obtained by either:

- 9 ~~— 1. Completion of the requirements of Section 5(2) of this administrative regulation; or~~
- 10 ~~— 2. Obtaining the school food service and nutrition specialist (SFSN) credential issued~~
- 11 ~~by the American School Food Service Association (ASFSA); or]~~

- 12 (k) Learning and behavior disorders, grades eight (8) through twelve (12).
- 13 1. This endorsement shall be issued following completion of the requirements of
- 14 Section 5(2) of this administrative regulation; and
- 15 2. This endorsement shall only be issued to candidates with preparation and
- 16 certification for a base or restricted base certificate for the secondary grades eight (8)
- 17 through twelve (12);or

18 (l) American Sign Language, primary through grade twelve (12).

19 Section 5. Additional Certification. (1) A certificate extension may be issued for any
20 base or restricted base certificate area offered in Section 4(2) or (3) of this administrative
21 regulation and shall require:

- 22 (a) A valid base or restricted base certificate, including a statement of eligibility;
- 23 (b) Successful completion of the applicable assessments; and

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1 (c) Recommendation from an approved preparation program upon demonstration of
2 competency in the relevant teaching methodology verified via coursework, field
3 experience, portfolio, or other proficiency evaluation.

4 (2) A certificate endorsement may be issued for any area listed in Section 4(4) of this
5 administrative regulation and shall require:

6 (a) A valid base or restricted base certificate, including a statement of eligibility;

7 (b) Successful completion of the applicable assessments; and

8 (c) Recommendation from an approved preparation program.

9 (3)(a) [~~In order to assist districts in meeting the "highly qualified" teacher~~
10 ~~requirements of the No Child Left Behind Act of 2001, 20 U.S.C. 6301 et seq.,] A
11 professionally-certified teacher may add a certificate endorsement or extension if the
12 teacher meets the requirements established in paragraph (b) of this subsection.~~

13 (b) A certificate extension or certificate endorsement shall be issued if an educator
14 submits a completed TC-HQ application and meets the following requirements:

15 1. A valid Kentucky professional teaching certificate;

16 2. a. Current employment in a certified position,

17 b. [~~or~~] A bona fide offer of employment in a certified position in a Kentucky public
18 school; or

19 c. Approval of the local district superintendent;

20 3. Successful completion of the applicable content assessments; and

21 4. Either:

22 a. A declared major in the area of certification being sought; or

1 b. A combination of education, experience, professional development, awards and
2 achievements in the area of certification being sought sufficient to demonstrate subject
3 matter competency as evidenced by a score of ninety (90) points on the index contained
4 within the application form, TC-HQ.

5 i. Points shall be granted only for experience, professional development, awards
6 or achievements earned relative to the specific content area, student population taught,
7 and grade range served;

8 ii. Coursework shall be validated on the application by a Kentucky college or
9 university approved by the EPSB to serve as a "clearinghouse" for the purposes of this
10 option; and

11 iii. Successful completion of the appropriate content assessment or assessments
12 for the certificate area being added shall count for forty-five (45) points.

13 (4) If a teacher currently holds a professional certificate in the secondary grades, eight
14 (8) through twelve (12), and applies for a certificate extension or endorsement in the
15 same content area for middle school grades five (5) through nine (9), the teacher shall not
16 be required to complete the content assessment.

17 (5) A certificate extension or endorsement issued under the requirements
18 established in paragraph (b) of this subsection shall be permitted in the areas of English,
19 mathematics, sciences, foreign languages, social studies. Health and physical education
20 areas may be added only for those teachers holding the correlative certificate.

21 Section 6. A candidate pursuing certification via an alternative route to certification
22 shall receive the same certificates delineated in Section 4 of this administrative regulation
23 following completion of the appropriate requirements specific to each alternative route.

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1 Section 7. Application for certification or additional certification shall be made on
2 Form TC-1 and shall be accompanied by the fees required by 16 KAR 4:040.

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

5 (a) Form TC-1, rev. 4/2004, Education Professional Standards Board; and

6 (b) Form TC-HQ, edition 10/2009 [4/2004], Education Professional Standards Board.

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

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information Item B

Information Item:

16 KAR 2:120. Emergency certification and out-of-field teaching. Notice of Intent

Applicable Statutes:

KRS 157.390, 161.020, 161.028, and 161.030, 161.100, 161.1211, 161.1221, 334A.030, 334A.030, 334A.035, 334A.050, 334A.060

Applicable Goal:

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

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 included restricting the re-issuance of full-time emergency teaching certificates, were approved by the EPSB in its May 2009 meeting.

Changes to this regulation would eliminate the subsequent issuance of a full-time emergency teaching certificate to the same individual for a second time except in two limited circumstances. Such a certificate could be issued to the same person for one year and for one time only if the original emergency certificate was issued after February 15 of a given school year or if the original emergency certificate was used to cover 50 percent or less of the individual's teaching assignment.

The proposed regulation and revised TC-4F application form are 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 14, 2009

1 **16 KAR 2:120. Emergency certification and out-of-field teaching.**

2 RELATES TO: KRS 157.390, 161.020, 161.028, 161.030, 161.100, 161.1211, 161.1221,
3 334A.030, 334A.033, 334A.035, 334A.050, 334A.060

4 STATUTORY AUTHORITY: KRS 161.028(1)(a), 161.030(1), 161.100, 161.1221(1)

5 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.100 authorizes the Education
6 Professional Standards Board to establish qualifications for granting emergency certificates if
7 qualified teachers are not available for specific positions. KRS 161.1221(1) requires the
8 Education Professional Standards Board to establish a definition for out-of-field teaching. This
9 administrative regulation establishes the qualifications and procedures for emergency
10 certifications and establishes the definition for out-of-field teaching.

11 Section 1. Definition. "Qualified teacher" means a teacher who holds the appropriate
12 certification for the position unless the superintendent of the employing school district has
13 documented evidence that the teacher is unsuitable for appointment.

14 Section 2. (1) In order to comply with KRS 161.100 in establishing the need for employing
15 emergency teaching personnel, the superintendent of the local school district and the board of
16 education shall make the following declaration to the Education Professional Standards Board on
17 Form TC-4F:

18 (a) No qualified teachers have applied for the vacant position and to our knowledge qualified
19 teachers are not available for the position;

20 (b) Diligent efforts have been made to recruit a qualified teacher for the vacant position, and
21 furthermore, this vacancy has been made known locally by appropriate means;

22 (c) The local school district has been unsuccessful in recruiting qualified teachers for the
23 vacant position from the listings of teachers supplied by the placement services of the teacher
24 education institutions;

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1 (d) The position will be filled by the most suitable applicant available, giving preference to
2 the factors of academic preparation, prior teaching experience or related educational work, and
3 personal attributes compatible with the demands of the teaching profession; and

4 (e) The local school district has conducted a criminal records check as required by KRS
5 160.380 for each applicant prior to applying for the emergency certificate.

6 (2)(a) The Education Professional Standards Board, depending upon the assessment of need
7 for the position and the availability or anticipated availability of qualified teachers, shall approve
8 or disapprove a request for the employment of emergency teachers.

9 1. The term of validity of an emergency certificate may be limited to a period less than the
10 full school year.

11 2. The beginning date shall be no earlier than the date the request form is received by the
12 Education Professional Standards Board.

13 3. In accordance with the licensure requirements of KRS 334A.030, 334A.033, 334A.035,
14 334A.050, and 334A.060, the Education Professional Standards Board shall not issue an
15 emergency certificate for teaching exceptional children with communication disorders.

16 (b) Until June 30, 2011, the issuance of an emergency certificate for a full-time assignment
17 for each subsequent year shall require completion of six (6) hours of credit from the preparation
18 program leading to the required certification for the position.

19 (c) Beginning July 1, 2011, an emergency certificate shall not be issued to the same person in
20 any subsequent year unless the original emergency certificate was issued under the following
21 conditions:

- 22 1. The emergency certificate was issued after February 15 of a school year; or
23 2. The emergency certificate was issued for less than fifty percent (50%) of the person's
24 class schedule.

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1 (d) If an emergency certificate is issued to a person pursuant to sub-paragraphs (c)1. or (c)2.
2 of this subsection, there shall be no more than one (1) subsequent issuance of an emergency
3 certificate to the same person.

4 (3)(a) Emergency certification for an assignment as teacher of exceptional children shall be
5 issued with the condition that the applicant shall receive intensive training on special education
6 topics, including IEP, assessment, evaluation, individualized instruction, methods, and
7 management. This training shall be accomplished as follows:

8 1. The applicant shall complete twelve (12) clock hours of training as required by the Office
9 of Special Instructional Services of the Kentucky Department of Education;

10 2.a. The applicant shall complete an additional six (6) clock hours of training during the fall
11 conference conducted by the Division of Exceptional Children Services of the Kentucky
12 Department of Education. Teachers employed after the fall conference shall complete these six
13 (6) clock hours of training during the spring conference of the Council for Exceptional Children;

14 or

15 b. If the applicant is unable to attend either the fall conference or the spring conference, the
16 applicant shall complete an additional six (6) clock hours of training offered through one (1) of
17 the state's eleven (11) special education cooperatives. The training shall be similar to the topics
18 covered at the conferences; and

19 3. The applicant shall participate in at least one (1) day of flexible in-service training,
20 relevant specifically to special education. The training shall be limited to visitation in a
21 classroom of an exemplary special education teacher, special education training relevant to the
22 identified needs of the teacher, or other training provided by the Office of Special Instructional
23 Services.

24 (b) The Kentucky Department of Education shall report to the Education Professional
25 Standards Board those emergency certified teachers of exceptional children who have not

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1 completed the training requirements established in this subsection by June 30 of each year for the
2 preceding school year.

3 (4)(a) The superintendent of the local school district and the board of education may establish
4 the need for emergency substitute teachers on the basis of anticipated shortages of regularly
5 certified teachers and in accordance with district policies and procedures established for the
6 selection and employment of substitute teachers. Emergency certificates for substitute teaching
7 may then be issued by the local school district subject to the priority schedule for the
8 employment of substitute teachers as established by 16 KAR 2:030.

9 (b) Each local school district shall report by June 30 of each year the number of days of
10 substitute teaching performed by each emergency teacher.

11 (5) The Education Professional Standards Board shall periodically review the numbers of
12 emergency certificates issued for full-time, part-time, and substitute teaching by school district,
13 by position, and by academic preparation.

14 (6)(a)1. An emergency certificate for full-time or part-time employment shall be issued only
15 to individuals who:

16 a. Have completed a minimum of a bachelor's degree from a regionally accredited college;
17 and

18 b.(i) Have a cumulative minimum grade point average of 2.5 on a 4.0 scale; or

19 (ii) Have a minimum grade point average of 3.0 on a 4.0 scale on the last sixty (60) hours of
20 credit completed, including undergraduate and graduate coursework.

21 2. An emergency certificate for full-time or part-time employment shall not be issued to
22 individuals who have been judged to be unsatisfactory in the beginning teacher internship
23 established in 16 KAR 7:010.

24 (b)1. An emergency certificate for substitute teaching shall be issued to individuals who:

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1 a. Have completed a minimum of sixty-four (64) semester hours of credit from a regionally
2 accredited institution; and

3 b.(i) Have a cumulative minimum grade point average of 2.5 on a 4.0 scale; or

4 (ii) Have a minimum grade point average of 3.0 on a 4.0 scale on the last sixty (60) hours of
5 credit completed, including undergraduate and graduate coursework.

6 2. An emergency certificate for substitute teaching issued for the 1992-93 school year may be
7 reissued for 1993-94 and for succeeding consecutive years.

8 (c) An emergency certificate for substitute teaching in any health, technical, or industrial
9 occupation may be issued to persons who have a minimum of four (4) years of occupational
10 experience in the area to be taught and a high school diploma or its equivalent as determined by
11 evidence of a passing score on the General Education Development Test.

12 (7)(a) A Form TC-4F signed by the local school superintendent and approved by the local
13 board of education shall be submitted for each anticipated emergency position for full-time or
14 part-time employment. The application shall be accompanied by official transcripts of all college
15 credits earned by the prospective emergency teacher.

16 (b) An emergency certificate for substitute teaching shall not require application to the
17 Education Professional Standards Board. Local school districts shall issue emergency certificates
18 for substitute teaching pursuant to the requirements of this administrative regulation and other
19 pertinent Kentucky statutes and administrative regulations regarding school personnel.

20 Section 3. Rank and Salary Provisions. (1) The Education Professional Standards Board
21 shall issue the emergency certificate for full-time or part-time employment established in Section
22 2 of this administrative regulation with a rank designation based upon the following criteria:

23 (a) A teacher holding a valid Kentucky teaching certificate shall be issued an emergency
24 certificate for full-time or part-time employment at the rank designated on the teacher's regular
25 certificate.

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1 (b)1. A new teacher holding a valid one (1) year provisional certificate issued upon
2 enrollment in the Kentucky Teacher Internship Program established in 16 KAR 7:010 shall be
3 issued an emergency certificate for part-time employment at the rank designated on the teacher's
4 one (1) year provisional certificate.

5 2. The teacher shall maintain a half-time enrollment in the internship as defined in 16 KAR
6 7:010 to remain eligible for the higher rank established in this paragraph.

7 3. If the teacher terminates or otherwise fails to continue enrollment in the internship prior to
8 its successful completion, the teacher shall be reclassified at Rank IV until the teacher is properly
9 reenrolled in the internship program.

10 (c) A new teacher holding a valid Kentucky Statement of Eligibility shall be issued an
11 emergency certificate for full-time or part-time employment at Rank IV until the teacher:

12 1. Is properly enrolled in the Kentucky Teacher Internship Program on at least a half-time
13 basis as established in 16 KAR 7:010; and

14 2. Possesses the one (1) year provisional certificate referenced in paragraph (b)1 of this
15 subsection.

16 (d) An applicant for the emergency certificate for full-time or part-time employment who
17 does not hold a valid Kentucky teaching certificate shall be issued the emergency certificate at
18 Rank IV.

19 (2) Local school districts issuing the emergency certificate for substitute teaching established
20 in Section 2 of this administrative regulation shall adhere to the Rank classifications established
21 in KRS 161.1211.

22 Section 4. Out-of-field Teaching. (1) Pursuant to KRS 161.1221(1), out-of-field teaching
23 shall be classified in the following four (4) categories:

24 (a) The number of emergency certificates issued by grade range, subject field, and district;

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1 (b) The number of probationary certificates issued by grade range, subject field, and district;

2 (c) The number of temporary provisional certificates issued by grade range, subject field, and
3 district; and

4 (d) The number of teachers who do not possess a certificate of legal qualifications for the
5 professional position they hold in the public schools, including a breakout of:

6 1. The number of teachers who hold no certificate;

7 2. The number of teachers who hold an expired certificate;

8 3. The number of certified teachers who are teaching outside of the subject field or fields
9 indicated on their certificate who do not hold a credential listed in paragraph (a), (b), or (c) of
10 this subsection; and

11 4. The number of certified teachers who are teaching outside the grade range indicated on
12 their certificate who do not hold a credential listed in paragraph (a), (b), or (c) of this subsection.

13 (2) If data is available, reports on out-of-field teaching in the four categories established in
14 subsection (1) of this section shall differentiate between teachers who possess the equivalent of a
15 college major, minor or area of concentration in the subject area they are teaching.

16 Section 5. Incorporation by Reference. (1) Form TC-4F, revised 10/2009 [~~6/2000~~], is
17 incorporated by reference.

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

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information Item C

Information Item:

16 KAR 2:____. Probationary endorsement for teachers for English as a second language. Notice of Intent (to Promulgate New Regulation)

Applicable Statutes:

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.

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 included this probationary endorsement, were approved by the EPSB in its May 2009 meeting. The attached regulation would create a new probationary endorsement for teachers of English as a second language, grades P-12.

This new endorsement will greatly increase the options for local school districts as they look to fill this shortage teaching area in a field where the need for teachers is increasing annually. Representing all Kentucky institutions that offer English as a Second Language for teacher certification, a group of professionals in the field reviewed the attached regulation and application form. The proposed regulation and revised TC-HQ application form are being presented for the Board's consideration at this time. The item will be placed on the October agenda for possible final action.

Contact Person:

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Division of Certification
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Executive Director

Date:

September 14, 2009

1 **16 KAR 2:___ Probationary endorsement for teachers for English as a second language**

2 RELATES TO: KRS 161.020, 161.028, 161.030

3 STATUTORY AUTHORITY: KRS 161.028, 161.030

4 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020, 161.028 and 161.030

5 require that teachers and other professional school personnel hold certificates of legal
6 qualifications for their respective positions to be issued upon completion of programs of
7 preparation approved by the Education Professional Standards Board. This administrative
8 regulation establishes a plan for recruiting certified classroom teachers into positions for teachers
9 of English as a second language.

10 Section 1. Definitions. (1) "Qualified teacher" means a teacher who holds the appropriate
11 certification as a teacher for English as a second language unless the superintendent of the
12 employing school district has documented evidence that the teacher is unsuitable for appointment.

13 (2) "Teacher for English as a second language" means a teacher who works:

14 (a) Directly with identified English as a second language pupils, in addition to the regularly
15 assigned classroom teacher; or

16 (b) In a classroom made up only of properly identified English as a Second Language students.

17 Section 2. (1) If a qualified teacher is not available for the position of teacher for English as
18 a second language as attested by the local school superintendent, the superintendent, on behalf of
19 the local board of education, may request by filing a Form TC-EL with the Education
20 Professional Standards Board_a probationary endorsement for teaching English as a second
21 language for a teacher who:

22 (a) Has a bachelor's degree;

23 (b) Has a valid Kentucky teaching certificate;

24 (c) Has completed at least one (1) year of successful teaching experience;

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1 (d) Has been admitted to the preparation program for the endorsement for teachers for English
2 as a second language; and

3 (e) Is currently enrolled in graduate studies related to the education profession.

4 (2) The request for the probationary endorsement shall be submitted on Form TC-EL to the
5 Education Professional Standards Board for each teacher for English as a second language
6 requiring the probationary endorsement.

7 (3)(a) The probationary endorsement for teachers for English as a second language shall be
8 valid for a period of two (2) years from the initial request.

9 (b) A teacher receiving this probationary endorsement shall complete the required curriculum
10 for recommendation for the endorsement for teacher for English as a second language within the
11 two (2) year validity of the probationary endorsement.

12 (c) The probationary endorsement shall not be renewed.

13 Section 3. Incorporation by Reference. (1) Form TC-EL, 10/2009, is incorporated by
14 reference.

15 (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at
16 the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky
17 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information Item D

Information Item:

To inform the EPSB about contracts and amendments which were signed by the executive director since the prior EPSB board 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.

- Contracts, totaling \$632,108, were awarded to the universities for the KTIP program to provide funding to support the teacher educators and training of KTIP committee members. The contract amounts were calculated on an allocation of interns, using 2009 enrollment, times a set amount of \$262.94 per intern. These contracts were issued in accordance with the KTIP funding plan authorized by the EPSB at its May 18, 2009 meeting. The funds were distributed as follows:

| Vendor Name Contract Amt. | Services | Service Period | |
|--------------------------------------|-------------------|------------------------------|-----------|
| EKU | Teacher Educators | July 1, 2009 – June 30, 2010 | \$73,886 |
| KSU | ↓ | ↓ | \$28,135 |
| MoSU | ↓ | ↓ | \$65,209 |
| MuSU | ↓ | ↓ | \$57,321 |
| NKU | ↓ | ↓ | \$68,890 |
| UK | ↓ | ↓ | \$108,857 |
| UL | | | \$129,104 |
| WKU | | | \$100,706 |

Groups/Persons Consulted:

N/A

Contact Person:

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Deputy Executive Director
(502) 564-4606
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Executive Director

Date:

September 14, 2009

**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 6: 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.

Purpose of the contracts:

1. To administer the National Board for Professional Teaching Standards (NBPTS) mentoring program, the EPSB will need to establish multiple contracts with local school districts, educational coops, and institutions of higher education. A request for applications will be issued to offer education cooperatives and local school districts the opportunity to provide these services. These contractors will provide a variety of services, including workshops for teachers, mentor training, program coordinators, and collection of documentation.
 - Approximate cost of the contracts: \$250,000
 - Impact on budget: These expenditures were included in the FY 2010 budget.
 - Type of entity providing service: Education cooperatives and local school districts
 - Bidding process: A request for application (RFA) will be published to solicit applications for funding to provide these services.
 - Singular vs. continuing service: Singular
2. KyEducators.org is an online professional development portal and data management system through which EPSB conducts training for many programs. At the beginning of 2009, our program assistant responsible for maintaining KyEducators.org, Chela Kaplan, resigned to take another position at the University of Kentucky. We are recommending that we replace this position with a contract employee who will work approximately 20

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hours per week in our offices. Preliminary approval was requested and received on August 11, 2009, from the EPSB chair and co-chair to proceed with an RFP to solicit candidates for this position. The primary responsibilities for the position are as follows:

- a. Maintaining accurate and updated information for registration of users and online coaches
 - b. Reviewing and editing online material
 - c. Serving as help desk
 - d. Maintaining spreadsheets of all registrants for all programs
 - e. Printing and distributing materials
 - f. Ensuring the availability of adequate scorers for online modules
 - g. Other duties as requested by the division director and executive director
- Approximate cost of the contract: \$35,000
 - Impact on budget: These expenditures were included in the FY 2010 budget and will be paid from fees collected from CEO applications.
 - Type of entity providing service: Individual
 - Bidding process: A request for proposal (RFP) will be published to solicit candidates to provide these services.
 - Singular vs. continuing service: Singular
3. Due to an increase in the number of CEO portfolios being submitted and a stipend limitation of \$1,000 for scorers (KRS 161.028 1.v.), the EPSB needs to contract with a pool of eligible CEO scorers for fiscal year 2010. During the past scoring sessions we experienced difficulty obtaining enough scorers who had not met the \$1,000 stipend limit. Since there are four scoring sessions per fiscal year, many scorers reached their stipend limit in one scoring session, leaving the scorers pool limited for the remaining fiscal year. A request for application process will be conducted to solicit interested parties. A multi-vendor contract will be issued to all candidates who qualify as a scorer. This contract will allow us to use the pool of scorers as needed and be able to pay stipends in excess of \$1,000 per year.
- Approximate cost of the contract: \$75,000
 - Impact on budget: These expenditures were included in the FY 2010 budget and will be paid from fees collected from CEO applications.
 - Type of entity providing service: Multiple individuals
 - Bidding process: A request for application (RFA) will be published to solicit candidates to provide these services.
 - Singular vs. continuing service: Singular

Alternative Actions

1. Authorize the executive director to issue competitive solicitations and enter into all of the contracts awarded from the solicitations.
2. Do not approve the awarding of the contracts.
3. Request further review of contract awards before completion.

Staff Recommendation

Alternative 1

Rationale

These are routine and necessary expenditures.

Contact Person:

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Executive Director

Date:

September 14, 2009

**KENTUCKY EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item B

Action Item:

University of the Cumberlands – Biological Science 8-12 (MAT); Chemistry 8-12 (MAT); Earth Science 8-12 (MAT); and Physics 8-12 (MAT)

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.030
16 KAR 5:010; 16 KAR 5:050

Applicable Goal:

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

Issue:

Should the EPSB approve the following educator preparation program additions?

UNIVERSITY OF THE CUMBERLANDS

4.0 SECONDARY SCHOOL FOR GRADES 8-12

Biological Science (Master of Arts in Teaching)
Chemistry (Master of Arts in Teaching)
Earth Science (Master of Arts in Teaching)
Physics (Master of Arts in Teaching)

Background:

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

Groups/Persons Consulted:

Content Area Review Committees
Continuous Assessment Review Committee
Reading Committee

Alternative Actions:

Issue One:

1. Approve the proposed Biological Science 8-12 (MAT) preparation program addition.
2. Do not approve the proposed Biological Science 8-12 (MAT) preparation program addition.

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Issue Two:

1. Approve the proposed Chemistry 8-12 (MAT) preparation program addition.
2. Do not approve the proposed Chemistry 8-12 (MAT) preparation program addition.

Issue Three:

1. Approve the proposed Earth Science 8-12 (MAT) preparation program addition.
2. Do not approve the proposed Earth Science 8-12 (MAT) preparation program addition.

Issue Four:

1. Approve the proposed Physics 8-12 (MAT) preparation program addition.
2. Do not approve the proposed Physics 8-12 (MAT) preparation program addition.

Recommendation:

Alternative 1

Rationale:

The proposed educator preparation programs follow the appropriate regulations (16 KAR 5:010 and 16 KAR 5:050) outlining program requirements for program approval as established by the EPSB.

Contact Person:

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Executive Director

Date:

September 14, 2009

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16 KAR 5:050. Master of arts in teaching.

RELATES TO: KRS 161.020, 161.028, 161.030

STATUTORY AUTHORITY: KRS 161.020, 161.028, 161.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board. This administrative regulation establishes guidelines under which institutions may develop master's degree programs of preparation leading to a provisional teaching certification and a Rank II classification.

Section 1. Kentucky teacher education institutions may develop a master of arts in teaching (MAT) program of preparation leading to provisional certification for teaching established in 16 KAR 2:010 and a Rank II classification.

Section 2. Admission Requirements. Admission to the MAT Program of teacher preparation shall require the following:

- (1) A bachelor's degree from a regionally accredited institution; and
- (2) Completion of the admission standards established in 16 KAR 5:020.

Section 3. Curriculum Requirements. (1) The MAT Program of teacher preparation shall meet the standards for program approval established in 16 KAR 5:010.

- (2) The student teaching experience for the MAT Program shall satisfy the requirements established in 16 KAR 5:040.

Section 4. Exit Requirements. (1) The candidate admitted to the MAT Program shall complete the requirements established by the institution for the MAT.

(2) The certification for candidates who complete the MAT Program shall be issued in accordance with the testing and internship provisions of KRS 161.030, 16 KAR 7:010, and 16 KAR 7:010.

(3) The certification for candidates who complete the MAT Program shall be renewed in accordance with the provisions of KRS 161.030 and KAR Title 16.

Section 5. Evaluation. The MAT Program shall be evaluated as part of the educator preparation unit accreditation process established in 16 KAR 5:010. (16 Ky.R. 680; eff. 12-6-89; 28 Ky.R. 2072; 2343; eff. 5-16-2002; recodified from 704 KAR 20:560, 7-2-2002.)

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

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

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

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

(4) Program approval decision options shall be:

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

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

1. Approval; or

2. Denial of approval; or

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

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

(a) Approval;

(b) Approval with conditions; or

(c) Denial of approval for the program.

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

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

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

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item C

Action Item:

University of the Cumberlands – Alternative Route to Certification Proposal for Master of Arts in Teaching in four science areas: Chemistry, Physics, Earth Science, and Biology

Applicable Statutes and Regulation:

KRS 161.028
16 KAR 5:010; 9:080

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.

Issue:

Should the Education Professional Standards Board (EPSB) approve the University of the Cumberlands' request for a Master of Arts in Teaching: Chemistry, Physics, Earth Science and Biology?

Background:

Pursuant to KRS 161.028, the EPSB was directed to promote and approve alternative route certification programs offered through colleges/universities, private contractors, the Kentucky Department of Education, or the Kentucky Commonwealth Virtual University. The *Approval of Alternative Route to Certification Programs Offered Under KRS 161.028: Policy and Procedure* was approved by the EPSB in September 2000 (copy attached). Alternative routes to certification established by the General Assembly in KRS 161.048 are governed by the requirements in that statute, related statutes, and corresponding administrative regulations.

The University of the Cumberlands, Cumberland College Department of Education and Graduate Program submitted an alternative route to certification proposal for the Master of Arts in Teaching (MAT) in Chemistry, Physics, Earth Science and Biology, grades 8 - 12. With approval of the MAT, the University of the Cumberlands will offer certification options in a range of critical teaching shortage areas experienced by districts in the region. The university is addressing a request from the districts.

Candidates in the program will be assessed at entry, midpoint, and exit stages of their programs and must meet the grade point average and degree requirements. Candidates must also have three (3) letters of recommendation and complete a dispositional writing assignment. Coursework will be offered on evenings, weekends, and in the summer with an e-portfolio as the culminating assignment. Candidates with varied life experiences are given the opportunity to teach and share those experiences with secondary students.

In compliance with Regulation 16 KAR 9:080 University-based alternative certification program, Section 2 (4) (d), the university has submitted a plan for collaborating with districts to establish the mentoring process. The university will contract with districts to provide teacher

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mentors for candidates. A university faculty member will serve as mentor coordinator with oversight of the entire process. The plan includes a memorandum of understanding. (Plan sent under separate cover) (An Executive Summary is attached.)

Alternative Actions:

1. Approve University of the Cumberlands alternative route to certification proposal for the MAT in four science areas: Chemistry, Physics, Earth Science, and Biology
2. Modify and approve University of the Cumberlands alternative route to certification proposal for the MAT in four science areas: Chemistry, Physics, Earth Science, and Biology
3. Do not approve University of the Cumberlands alternative route to certification proposal for the MAT in four science areas: Chemistry, Physics, Earth Science, and Biology

Staff Recommendation:

Alternative 1

Rationale:

Staff has reviewed the University of the Cumberlands, Cumberland College proposal and finds it to be in accordance with the intent of the legislation and with EPSB standards. A continuous assessment plan that includes admission, midpoint, and exit requirements, dedicated resources, science faculty, EPSB themes, and program description was outlined in the proposal. The University of the Cumberlands currently has approval to offer alternative route to certification programs in Special Education, Elementary, Middle, Secondary, and P-12 Certification.

Contact Person:

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Executive Director

Date:

September 14, 2009

Agenda Book

University of the Cumberland Masters of Arts in Teaching (Alternative Certification – Option Six) Chemistry, Physics, Earth Science and Biology

Theme of the Unit: *“Reflective Constructors of Quality Learning Experiences”*

Program Description:

University of the Cumberland proposes the addition of a Masters of Arts in Teaching degree program for four areas in secondary science including Chemistry, Physics, Earth Science and Biology. The areas will complete the alternative certification in secondary education program first granted by the EPSB to the University some three years ago.

Rationale for the Program:

The reason for this program submission request is that school districts continue to have difficulties in locating and employing individuals with teaching credentials in Biology, Chemistry, Physics and Earth Science. These four areas have for years been identified as critical needs teacher certification shortage areas by both the federal government and by various states. The alternative program would provide candidates with a degree and preparation in one of these areas the ability to gain the pedagogical knowledge and classroom experience to acquire teacher certification and assume a position as a classroom teacher at the secondary level.

Continuous Assessment: University of the Cumberland assesses all initial and advanced candidates at the entry, midpoint and exit stages of their program. Candidates must enter the program with a 2.5 or higher GPA, have a four year college degree from an accredited institution of higher education in one of the four science areas, have three letters of recommendation that speak to their character and ethics, and complete a dispositional writing assignment. At midpoint, candidates will meet with their respective advisors to review their progress and academic performance. Prior to exiting the program candidates will be required to complete and orally defend an e-portfolio, a comprehensive exam or submit a master’s thesis. Candidates must take and produce passing scores on PRAXIS II exams in the content area they are seeking certification. They must also hold a 3.0 or higher GPA and complete additional exit requirements.

Unique Features of the Program: The Masters of Arts in Teaching program provides certification to candidates with a degree in one of the four areas above the ability to enroll in a graduate program that will both provide teacher certification in a particular content (Physics, Earth Science, Biology, or Chemistry area) while earning a masters degree. The program provides two different tracks to completion. One track is designed to allow candidates to complete the certification and then accept employment in a public or private school. The other track, known as Option Six, allows the candidate to be employed by a school district under a Temporary Provisional License while they complete their coursework. The University provides a mentor to candidates working under a Temporary Provisional License and a faculty person that, together with the mentor, provide assistance to the candidate as they began their professional career. Candidates can select to receive coursework from traditional classroom classes or through electronic means.

16 KAR 9:080. University-based alternative certification program.

RELATES TO: KRS 161.027, 161.028(1)(k), (s), (t), 161.030(10), 161.048

STATUTORY AUTHORITY: KRS 161.027(1), 161.048(1)(d), (7)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.048(1)(d) and (7) requires the Education Professional Standards Board to promulgate administrative regulations establishing the standards and procedures for a university alternative certification option for teacher and administrator certification. This administrative regulation establishes the requirements for entry and completion of the teacher and administrator university-based alternative certification options, the responsibilities of the employing school or school district, and the responsibilities of the approved college or university alternative program.

Section 1. Definitions. (1) "Alternative administrator program" means a college or university post baccalaureate administrator preparation program for an individual enrolled concurrently with employment in a local school district as an assistant principal, principal, assistant superintendent, guidance counselor, director of special education, director of pupil personnel, supervisor of instruction, or superintendent.

(2) "Alternative teacher program" means a college or university post baccalaureate teacher preparation program for an individual enrolled concurrently with employment as a teacher.

Section 2. University Requirements. (1) An accredited college or university seeking to offer a post baccalaureate alternative teacher or administrator program shall apply to the Education Professional Standards Board for program approval in accordance with 16 KAR 5:010.

(2)(a) In addition to the standards for program approval established in 16 KAR 5:010, the educator preparation institution seeking alternative teacher or alternative administrator program approval shall develop and publish a plan of selection and admission of candidates to the alternative program.

(b) The plan shall be filed with the Education Professional Standards Board and shall include:

1. A method to verify that an applicant has a minimum of a bachelor's degree from an accredited college or university and the minimum grade point average required for admission to the program;
2. One (1) or more assessments to measure academic proficiency for program admission;
3. An evaluation of a candidate's disposition for the education profession;
4. A procedure to ensure that a candidate reviews the Professional Code of Ethics for Kentucky School Certified Personnel established in 16 KAR 1:020; and
5. A copy of the declaration signed by a candidate affirming a commitment to upholding the Code of Ethics and acknowledging awareness of information required for state certification.

(3) The alternative program shall be designed to provide a candidate with the coursework and mentoring appropriate to permit a candidate to maintain employment in an eligible position and successfully complete any applicable assessments, including internship programs, within a period of:

- (a) Three (3) years for those enrolled in an alternative teacher program; or
- (b) Two (2) years for those enrolled in an alternative administrator program.

(4) Upon approval, the alternative teacher or administrator program unit shall:

(a) Assess a candidate's educational background and develop a plan of coursework that shall adequately prepare the candidate for successful completion of the requirements for program completion and certification for the areas and grade ranges that correspond with the candidate's school placement;

(b) Provide a candidate written and dated documentation of eligibility for the university alternative certification program so that the candidate may be considered for employment pursuant to KRS 160.345(2)(h);

(c) Ensure that a candidate begins course work no later than ninety (90) days from the date the eligibility notice is issued;

(d) Establish, in consultation with the administration of a candidate's employing school, a written plan for mentoring the candidate in the employment setting;

(e) Provide, prior to a candidate's participation in the Kentucky Teacher or Principal Internship Program, a minimum of fifteen (15) hours of observation of a candidate in practice in the employment setting utilizing university faculty and a district-based mentor teacher;

(f) Provide effective candidate mentoring by maintaining an adequate number of personnel and sufficient resources to ensure that candidates meet professional, state, and institutional standards, including successful transition to the professional certificate;

(g) Maintain regular communications with the employing school so that the institution and employing school may assist the candidate as needed and address identified areas of improvement; and

(h) Notify the Education Professional Standards Board in writing if a candidate's employment in a covered position or enrollment in the alternative certification program permanently ceases.

Section 3. Participation in the Alternative Teacher Program. (1) Participation in the institution's alternative teacher program shall be available only to individuals who meet the institution's alternative program admission requirements.

(2) A candidate's employment position shall be consistent with the area of certification being sought through the preparation program.

(3) After notice of acceptance into the alternative teacher program and subsequent notification of selection for an eligible position, a candidate shall apply for a Temporary Provisional Certificate by submitting a completed TC-TP Application for Temporary Provisional Certificate to the Education Professional Standards Board.

(4)(a) Upon verification that a candidate has met all eligibility requirements for certificate issuance, the Education Professional Standards Board shall issue a temporary provisional certificate.

(b) The temporary provisional certificate shall be:

1. Issued for a period of one (1) year;...

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16 KAR 2:010. Kentucky teaching certificates.

RELATES TO: KRS 158.6451, 161.020, 161.028(1), 161.030

STATUTORY AUTHORITY: KRS 161.028(1)(a), (b), (f), 161.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1)(a) requires the Education Professional Standards Board to establish the standards for obtaining and maintaining a teaching certificate. KRS 161.028(1)(b) requires the board to set standards for programs for the preparation of teachers and other professional school personnel. KRS 161.028(1)(f) requires the board to issue and renew any certificate. This administrative regulation establishes the Kentucky certification to be issued for teaching positions...

Section 4. Grade Levels and Specializations. (1) Preparation for a teaching certificate shall be based on:

- (a) The Kentucky teacher standards established in 16 KAR 1:010;
- (b) The accreditation and program approval standards established in 16 KAR 5:010, including the content standards of the relevant national specialty program associations; and
- (c) The goals for the schools of the Commonwealth specified in KRS 158.6451 and the student academic expectations established in 703 KAR 4:060.

(2) A base certificate shall be issued specifying one (1) or more of the following grade level and specialization authorizations:

- (a) Interdisciplinary early childhood education, birth to primary, established in 16 KAR 2:040;
- (b) Elementary school: primary through grade five (5) to include preparation in the academic disciplines taught in the elementary school.

1. The elementary certificate shall be valid for teaching grade six (6) if grade six (6) is taught in a self-contained classroom or in a school organization in which grade six (6) is housed with grade (5) in the same building.

2. A candidate for the elementary certificate may simultaneously prepare for certification for teaching exceptional children.

(c)1. Middle school option 1: grades five (5) through nine (9) with the equivalent of one (1) major to be selected from:

- a. English and communications;
- b. Mathematics;
- c. Science; or
- d. Social studies;

2. Middle school option 2: grades five (5) through nine (9) with two (2) middle school teaching fields to be selected from:

- a. English and communications;
- b. Mathematics;
- c. Science; or
- d. Social studies;

3. A candidate who chooses to simultaneously prepare for teaching in the middle school and for an additional base or restricted base certificate issued under this subsection or subsection (3) of this section, including certification for teaching exceptional children, shall be required to complete one (1) middle school teaching field;

(d) Secondary school: grades eight (8) through twelve (12) with one (1) or more of the following majors:

- 1. English;
- 2. Mathematics;
- 3. Social studies;
- 4. Biology;
- 5. Chemistry;
- 6. Physics; or
- 7. Earth science;

(e) Grades five (5) through twelve (12) with one (1) or more of the following majors:

- 1. Agriculture;
- 2. Business and marketing education;
- 3. Family and consumer science;
- 4. Industrial education; or
- 5. Technology education;

(f) All grade levels with one (1) or more of the following specialties:

- 1. Art;
- 2. A foreign language;
- 3. Health;
- 4. Physical education;
- 5. Integrated music;
- 6. Vocal music;
- 7. Instrumental music; or
- 8. School media librarian; or

(g) Grades primary through twelve (12) for teaching exceptional children and for collaborating with teachers to design and deliver programs for preprimary children, for one (1) or more of the following disabilities:

- 1. Learning and behavior disorders;
- 2. Moderate and severe disabilities;
- 3. Hearing impaired;
- 4. Hearing impaired with sign proficiency;
- 5. Visually impaired;

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

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

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

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

(4) Program approval decision options shall be:

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

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

1. Approval; or

2. Denial of approval; or

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

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

(a) Approval;

(b) Approval with conditions; or

(c) Denial of approval for the program.

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

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

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

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**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item D

Action Item:

Bellarmino University's Master of Arts in Education in Teacher Leadership (P-12) and Endorsement Program

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 Bellarmino University's request for a Master of Arts in Education in Teacher Leadership (P-12) and Endorsement Program?

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 (MRC) for a two-year period.

The Annsley Frazier Thornton School of Education of Bellarmino University (BU) submitted the Master of Arts in Education in Teacher Leadership (P-12) program and Endorsement for review by the MRC. The Bellarmino proposal has a framework of *Educator as Reflective Learner* with a mission of "preparing educators to teach and lead in diverse settings." The proposal includes "a variety of theory-to-practice assessments including two comprehensive anchor assessments, a Capstone project, and multiple venues for collaborative coaching, mentoring and individualized professional development."

To provide direct services to districts, Bellarmino created the Bellarmino Center for Teaching Excellence and Leadership with a focus on teacher renewal and development in P-12 schools. The Center will offer professional development to schools and districts

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through seminars, workshops, online and other technology venues. The Center will also be available for teacher leader candidates to hone their presentation skills.

Cited by the MRC as a strength of the program, the Anchor Assessments will provide evidence of the teacher leader's ability to apply course content and theory to practice in authentic school settings. The program also aligns continuous reflection with continuous assessment, and both are embedded in professional experiences. Teacher leader candidates will evaluate research studies to focus on school improvement, incorporate best practices based on student performance data, and develop a case study using the Comprehensive School Improvement Plan. The Bellarmine proposal is aligned with both state and national standards that include the Kentucky Teacher Standards and the National Council for the Accreditation of Teacher Education.

The MRC cited the following areas as strengths of the proposal:

- Excellent profile describing the program
- Strong vision of the kind of person the institution is trying to support
- Good emphasis on reflection throughout the proposal
- Strong transition point assessments throughout
- Good collaboration with Arts and Science faculty
- Excellent literacy course
- Good focus on parents and families and relevant work with school councils

Bellarmino responded to the request posed by the MRC. BU addressed the question to the satisfaction of the Master's Review Committee and Staff. The recommendation for approval is listed below. (An Executive Summary is attached. The proposal with the rejoinder will be provided under separate cover.)

Groups/Persons Consulted:

Master's Review Committee

Alternative Actions:

1. Approve the BU request for the Master of Arts in Education in Teacher Leadership (P-12) and Endorsement Program.
2. Modify and approve the BU request for the Master of Arts in Education in Teacher Leadership (P-12) and Endorsement Program.
3. Do not approve the BU request for the Master of Arts in Education in Teacher Leadership (P-12) and Endorsement Program.

Staff Recommendation:

Alternative 1

Rationale:

The Master's Review Committee recommends approval for the Bellarmine University Master of Arts in Teacher Leadership (P-12) and Endorsement Program. In addition to

recommending program approval, the committee commended Bellarmine University for presenting an excellent proposal that can also serve as a model program.

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Executive Director

Date:

September 14, 2009

EXECUTIVE SUMMARY

The Master of Arts in Education in Teacher Leadership (P-12) program both complements and extends the mission of the AFTSE by “*preparing educators to teach and lead in diverse settings.*” Specifically, the teacher leader program has as its foundational goal to develop teacher leaders who, by employing continuous reflection of their own practice, will use their expertise to improve student learning and achievement by working in formal and informal ways to augment the professional skills of colleagues, to strengthen the culture of the school through professional learning communities, and to improve the quality of instruction through data-based decision-making. This goal is within the broader context of effecting positive change in the education arena so that all children will have access to an equitable education that maximizes their talents and ensures successful adult life. Teacher leader candidates in this program will be challenged to reflect continuously upon: leadership components; coaching and mentoring; analysis of assessment and data to impact instruction; strategies for closing the achievement gap through instructional best practices; the need to address equity and diversity in schools; and collaborative efforts to include colleagues, parents, and the community in comprehensive efforts for school improvement. These reflective efforts, embodying the theme of the unit, *Educator as Reflective Learner*, are framed by Valli’s (1997) five reflective dimensions: technical, deliberative, personalistic, critical, and reflection in-and-on action. With reflection at the core of effective teacher leadership, the AFTSE’s Master of Arts in Education in Teacher Leadership program strives to prepare teacher leaders who have the knowledge, skills, and dispositions to take the risks necessary to effect positive changes in schooling so that all children and adolescents can be successful.

Designed collaboratively with university, district, and community partners, the Master of Arts in Education in Teacher Leadership program will model a professional learning community as cohorts of teacher leaders, working within their schools, districts, and communities, to build their own capacity and that of their students. Field experiences in diverse school and community settings, a variety of theory-to-practice assessments including two comprehensive anchor assessments and a Capstone project, and multiple venues for collaborative coaching, mentoring, and individualized professional development contribute to a comprehensive state-of-the-art program. Candidates will emerge from the Bellarmine teacher leader program with proficiencies that are steeped in solid research on effective teacher leadership and practical skills for immediate implementation in their schools and districts. As stated earlier, significant educational reform will prevail if profound changes transform the leadership that develops and guides our educational institutions (Sergiovanni, 1996). The development of teacher leaders who can answer the call for innovative leadership for today’s schools is an important mission and service of the Annsley Frazier Thornton School of Education.

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.

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(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 E

Action Item:

2007-2008 Title II Report

Applicable Statutes and Regulation:

Title II of the 1998 Higher Education Act
KRS 161.028, 161.030
16 KAR 5:010

Applicable Goal:

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

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

Issue:

Should the Education Professional Standards Board (EPSB) approve the Title II Report for 2007/2008 for submission to the United States Department of Education (USDOE)?

Background:

Title II of the Higher Education Act supports efforts to improve the recruitment, preparation, and induction of new teachers, and includes reporting requirements for institutions and states regarding teacher preparation and certification. Section 207 of the Act requires the annual preparation and submission of three reports on teacher preparation and certification: one from institutions to the states, one from the states to the U.S. Secretary of Education, and one from the Secretary to the U.S. Congress and the public.

Kentucky's teacher preparation institutions submitted the 2007-08 annual report (Title II reporting is always one year behind the current year) to the EPSB. EPSB staff will submit the 2007-08 state report to the U.S. Secretary of Education in October. Attached are the Summary of the 2006-07 Praxis Pass Rates and Five-Year Comparison as submitted for all Kentucky institutions, public and independent. Programs with fewer than ten completers cannot be publicly identified. The complete Title II Report will be sent under separate cover, and a hard copy will be available at the board meeting.

Alternative Actions:

1. Approve the 2007-08 Title II Report for submission to the USDOE.
2. Do not approve the 2007-08 Title II Report for submission to the USDOE.

Staff Recommendation:

Alternative 1

Rationale:

The Title II Report for 2007/2008 was compiled in accordance with federal requirements, and all information contained therein was verified by the institutions and by EPSB staff. The report must be submitted by October 7, 2009.

Contact Person:

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Executive Director

Date:

September 14, 2009

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item F

Action Item:

2009-10 Emergency Non-Certified School Personnel Program

Applicable Statutes and Regulation:

16 KAR 2:030, Section 3

Applicable Goal:

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

Issue:

Should the Education Professional Standards Board (EPSB) approve the local school districts' applications for the Emergency Non-Certified School Personnel Program, 2009-10, as recommended by staff?

Background:

Pursuant to 16 KAR 2:030, Section 3, a school district may submit a written application for participation in the Emergency Non-Certified School Personnel Program any time during the school year. Attached is a list of school districts that the staff recommends for continuance in the program for the 2009-10 school year.

Alternative Actions:

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

Staff Recommendation:

Alternative 1

Rationale:

All districts recommended have submitted year-end summary reports as required by 16 KAR 2:030 and have requested continuation in this program for 2009-10.

Contact Person:

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Executive Director

Date:

September 14, 2009

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EMERGENCY NON-CERTIFIED SCHOOL PERSONNEL PROGRAM

**The staff recommends that the following districts be reinstated for participation in the
Emergency Non-Certified School Personnel Program for 2009-2010.**

1. Anderson County
2. Ballard County
3. Barren County
4. Boone County
5. Bourbon County
6. Boyle County
7. Burgin Independent
8. Butler County
9. Campbell County
10. Carter County
11. Casey County
12. Christian County
13. Covington Independent
14. Crittenden County
15. Erlanger-Elsmere Independent
16. Estill County
17. Franklin County
18. Fulton Independent
19. Gallatin County
20. Garrard County
21. Glasgow Independent
22. Grant County
23. Hancock County
24. Harrison County
25. Lee County
26. Letcher County
27. Logan County
28. Meade County
29. Menifee County
30. Morgan County
31. Nelson County
32. Owsley County
33. Trigg County
34. Union County
35. Warren County
36. Washington County
37. West Point Independent
38. Wolfe County
39. Woodford County

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver A

Action Item:

Request for Second Extension to Complete Master's Degree

Applicable Statutes and Regulations:

16 KAR 2:010, Section 3

Applicable Goal:

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

Issue:

Should the Educational Professional Standards Board (EPSB) grant a second one-year extension to complete the required master's degree?

Background:

Ms. Sheila Donaldson was initially issued a certificate from 1998-2003 in Elementary K-4. In 2003, she requested and received a one-time, one year extension from the Division of Certification for the 2003-04 school year to complete the first 15 hours of her master's degree program. Ms. Donaldson is now requesting an additional one-year extension for the 2010-11 school year so she may complete her Master's course work.

Her supporting materials and recommendations are attached.

Alternative Actions:

1. Approve the waiver request
2. Deny the waiver request

Contact Person:

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Executive Director

Date:

September 14, 2009

16 KAR 2:010. Kentucky teaching certificates.

RELATES TO: KRS 158.6451, 161.020, 161.028(1), 161.030

STATUTORY AUTHORITY: KRS 161.028(1)(a), (b), (f), 161.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1)(a) requires the Education Professional Standards Board to establish the standards for obtaining and maintaining a teaching certificate. KRS 161.028(1)(b) requires the board to set standards for programs for the preparation of teachers and other professional school personnel. KRS 161.028(1)(f) requires the board to issue and renew any certificate. This administrative regulation establishes the Kentucky certification to be issued for teaching positions.

Section 1. Definitions. (1) "Approved program of preparation" means a program which has been approved by the Education Professional Standards Board under 16 KAR 5:010 for a specific certification or which has been approved for certification by the state education agency of another state.

(2) "Assessments" means the tests of knowledge and skills authorized by KRS 161.030 and established in 16 KAR 6:010.

(3) "Base certificate" means a stand-alone license to teach which encompasses authorization to teach introductory and interdisciplinary courses in related fields.

(4) "Beginning teacher internship" means one (1) year of supervision, assistance, and assessment required by KRS 161.030 and established in 16 KAR 7:010.

(5) "Certificate endorsement" means an addition to a base or restricted base certificate, which is limited in scope and awarded on the basis of completion of an endorsement program or a combination of educational requirements, assessments and experience as outlined in Section 5 of this administrative regulation.

(6) "Certificate extension" means an additional base or restricted base certificate in a content area or grade range.

(7) "Kentucky teacher standards" means the standards established in 16 KAR 1:010 that identify what a Kentucky teacher shall know and be able to do.

(8) "Major" means an academic area of concentration consisting of at least thirty (30) hours of coursework.

(9) "Professional teaching certificate" means the document issued to:

(a) An individual upon successful completion of the beginning teacher internship; or

(b) An applicant for whom the testing and internship requirement is waived under KRS 161.030 based on preparation and experience completed outside Kentucky.

(10) "Provisional teaching certificate" means the document issued to an individual for the duration of the beginning teacher internship program.

(11) "Restricted base certificate" means a stand-alone license to teach in a specific subject area of certification which is the only subject area that can be taught under this limited certificate.

(12) "Statement of eligibility" means the document issued to an applicant upon completion of an approved program of preparation and successful completion of the assessments.

Section 2. Certificate Issuance. (1) A statement of eligibility for a provisional teaching certificate shall be issued to an applicant who has successfully completed:

(a)1. At least a bachelor's degree with:

a. A cumulative grade point average of 2.50 on a 4.0 scale; or

b. A grade point average of 3.00 on a 4.0 scale on the last sixty (60) hours of credit completed, including undergraduate and graduate coursework; or

2. As required by Section 4(2)(g)6 or (4)(e) of this administrative regulation, a master's degree with:

a. A cumulative grade point average of 2.50 on a 4.0 scale; or

b. A grade point average of 3.00 on a 4.0 scale on the last sixty (60) hours of credit completed, including undergraduate and graduate coursework;

(b) An approved program of preparation; and

(c) The assessments corresponding to the certificate identified in Section 4 of this administrative regulation for which application is being made.

(2) Upon confirmation of employment in an assignment for the grade level and specialization identified on a valid statement of eligibility, a Provisional Teaching Certificate shall be issued for the duration of the beginning teacher internship established under KRS 161.030.

(3) Upon successful completion of the internship, a Professional Teaching Certificate shall be issued, valid for a four (4) year period.

Section 3. Professional Teaching Certificate Renewal. (1) The renewal shall require completion of a fifth-year program of preparation which is consistent with:

(a) The Kentucky teacher standards established in 16 KAR 1:010; or

(b) The standards adopted by the Education Professional Standards Board for a particular professional education specialty and established in an applicable administrative regulation in KAR Title 16.

(2) The first five (5) year renewal shall require:

(a) Completion of a minimum of fifteen (15) semester hours of graduate credit applicable to the fifth-year program established in 16 KAR 8:020 by September 1 of the year of expiration of the certificate; or

(b) Completion of the professional development plan and a partial portfolio for the continuing education option established in 16 KAR 8:030.

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- (3) The second five (5) year renewal shall require:
- (a) Completion of the fifth-year program established in 16 KAR 8:020 by September 1 of the year of expiration of the certificate; or
 - (b) Completion of the professional development plan and a full portfolio for the continuing education option established in 16 KAR 8:030.

(4) Each subsequent five (5) year renewal shall require completion of the renewal requirements established in 16 KAR 4:060.

Section 4. Grade Levels and Specializations. (1) Preparation for a teaching certificate shall be based on:

- (a) The Kentucky teacher standards established in 16 KAR 1:010;
- (b) The accreditation and program approval standards established in 16 KAR 5:010, including the content standards of the relevant national specialty program associations; and
- (c) The goals for the schools of the Commonwealth specified in KRS 158.6451 and the student academic expectations established in 703 KAR 4:060.

(2) A base certificate shall be issued specifying one (1) or more of the following grade level and specialization authorizations:

- (a) Interdisciplinary early childhood education, birth to primary, established in 16 KAR 2:040;
- (b) Elementary school: primary through grade five (5) to include preparation in the academic disciplines taught in the elementary school.

1. The elementary certificate shall be valid for teaching grade six (6) if grade six (6) is taught in a self-contained classroom or in a school organization in which grade six (6) is housed with grade (5) in the same building.

2. A candidate for the elementary certificate may simultaneously prepare for certification for teaching exceptional children.

(c)1. Middle school option 1: grades five (5) through nine (9) with the equivalent of one (1) major to be selected from:

- a. English and communications;
- b. Mathematics;
- c. Science; or
- d. Social studies;

2. Middle school option 2: grades five (5) through nine (9) with two (2) middle school teaching fields to be selected from:

- a. English and communications;
- b. Mathematics;
- c. Science; or
- d. Social studies;

3. A candidate who chooses to simultaneously prepare for teaching in the middle school and for an additional base or restricted base certificate issued under this subsection or subsection (3) of this section, including certification for teaching exceptional children, shall be required to complete one (1) middle school teaching field;

(d) Secondary school: grades eight (8) through twelve (12) with one (1) or more of the following majors:

- 1. English;
- 2. Mathematics;
- 3. Social studies;
- 4. Biology;
- 5. Chemistry;
- 6. Physics; or
- 7. Earth science;

(e) Grades five (5) through twelve (12) with one (1) or more of the following majors:

- 1. Agriculture;
- 2. Business and marketing education;
- 3. Family and consumer science;
- 4. Industrial education; or
- 5. Technology education;

(f) All grade levels with one (1) or more of the following specialties:

- 1. Art;
- 2. A foreign language;
- 3. Health;
- 4. Physical education;
- 5. Integrated music;
- 6. Vocal music;
- 7. Instrumental music; or
- 8. School media librarian; or

(g) Grades primary through twelve (12) for teaching exceptional children and for collaborating with teachers to design and deliver programs for preprimary children, for one (1) or more of the following disabilities:

- 1. Learning and behavior disorders;
- 2. Moderate and severe disabilities;
- 3. Hearing impaired;
- 4. Hearing impaired with sign proficiency;
- 5. Visually impaired;
- 6. Communication disorders, valid at all grade levels for the instruction of exceptional children and youth with communication disorders, which shall require a master's degree in communication or speech language pathology, in accordance with 16 KAR 2:050, Section 2; or

7. Communication disorders - SLPA only, valid at all grade levels for the instruction of exceptional children and youth with communication disorders, which shall require a baccalaureate degree in communication or speech language pathology, in accordance with 16 KAR 2:050, Section 3.

(3) A restricted base certificate shall be issued specifying one (1) or more of the following grade level and specialization authorizations:

- (a) Psychology, grades 8-12;
- (b) Sociology, grades eight (8) through twelve (12);
- (c) Journalism, grades eight (8) through twelve (12);
- (d) Speech/media communications, grades eight (8) through twelve (12);
- (e) Theater, primary through grade twelve (12);
- (f) Dance, primary through grade twelve (12);
- (g) Computer information systems, primary through grade twelve (12); or
- (h) English as a second language, primary through grade twelve (12).

(4) An endorsement to certificates identified in subsection (2) or (3) of this section shall be issued specifying one (1) or more of the following grade level and specialization authorizations:

- (a) Computer science, grades eight (8) through twelve (12);
- (b) English as second language, primary through grade twelve (12);
- (c) Gifted education, primary through grade twelve (12);
- (d) Driver education, grades eight (8) through twelve (12);
- (e) Reading and writing which shall require a master's degree in reading, primary through grade twelve (12);
- (f) Instructional computer technology, primary through grade twelve (12);
- (g) Teacher Leader, all grades;
- (h) Other instructional services - school safety, primary through grade twelve (12);
- (i) Other instructional services - environmental education, primary through grade twelve (12);
- (j) Other instructional services - school nutrition, primary through grade twelve (12). The endorsement for school nutrition shall be obtained by either:

1. Completion of the requirements of Section 5(2) of this administrative regulation; or
2. Obtaining the school food service and nutrition specialist (SFSN) credential issued by the American School Food Service Association (ASFSA); or

- (k) Learning and behavior disorders, grades eight (8) through twelve (12).

1. This endorsement shall be issued following completion of the requirements of Section 5(2) of this administrative regulation; and

2. This endorsement shall only be issued to candidates with preparation and certification for a base or restricted base certificate for the secondary grades eight (8) through twelve (12).

Section 5. Additional Certification. (1) A certificate extension may be issued for any base or restricted base certificate area offered in Section 4(2) or (3) of this administrative regulation and shall require:

- (a) A valid base or restricted base certificate, including a statement of eligibility;
- (b) Successful completion of the applicable assessments; and
- (c) Recommendation from an approved preparation program upon demonstration of competency in the relevant teaching methodology verified via coursework, field experience, portfolio, or other proficiency evaluation.

(2) A certificate endorsement may be issued for any area listed in Section 4(4) of this administrative regulation and shall require:

- (a) A valid base or restricted base certificate, including a statement of eligibility;
- (b) Successful completion of the applicable assessments; and
- (c) Recommendation from an approved preparation program.

(3)(a) In order to assist districts in meeting the "highly qualified" teacher requirements of the No Child Left Behind Act of 2001, 20 U.S.C. 6301 et seq., a professionally-certified teacher may add a certificate endorsement or extension if the teacher meets the requirements established in paragraph (b) of this subsection.

(b) A certificate extension or certificate endorsement shall be issued if an educator submits a completed application and meets the following requirements:

1. A valid Kentucky professional teaching certificate;
2. Current employment in a certified position or a bona fide offer of employment in a certified position in a Kentucky public school;
3. Successful completion of the applicable content assessments; and
4. Either:
 - a. A declared major in the area of certification being sought; or
 - b. A combination of education, experience, professional development, awards and achievements in the area of certification being sought sufficient to demonstrate subject matter competency as evidenced by a score of ninety (90) points on the index contained within the application form, TC-HQ. Coursework shall be validated on the application by a Kentucky college or university approved by the EPSB to serve as a "clearinghouse" for the purposes of this option.

(4) If a teacher currently holds a professional certificate in the secondary grades, eight (8) through twelve (12), and applies for a certificate extension or endorsement in the same content area for middle school grades five (5) through nine (9), the teacher shall not be required to complete the content assessment.

Section 6. A candidate pursuing certification via an alternative route to certification shall receive the same certificates delineated in Section 4 of this administrative regulation following completion of the appropriate requirements specific to each alternative route.

Section 7. Application for certification or additional certification shall be made on Form TC-1 and shall be accompanied by the fees required by 16 KAR 4:040.

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

(a) Form TC-1, rev. 4/2004, Education Professional Standards Board; and

(b) Form TC-HQ, edition 4/2004, 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 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (21 Ky.R. 212; Am. 949; eff. 10-6-94; 23 Ky.R. 1017; eff. 10-3-96; 24 Ky.R. 404; 892; eff. 10-2-97; 2426; 25 Ky.R. 76; eff. 7-13-98; 26 Ky.R. 442; 749; eff. 10-11-99; 27 Ky.R. 1877; 2442; eff. 3-19-2001; 28 Ky.R. 2073; 2344; eff. 5-16-2002; recodified from 704 KAR 20:670, 7-2-2002; 30 Ky.R. 2315; 31 Ky.R. 20 eff. 8-6-04; 33 Ky.R. 823; 1266; eff. 12-1-06; 34 Ky.R. 1079; 1687; eff. 2-1-2008.)

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver B

Action Item:

Request to waive language in 16 KAR 6:010 pertaining to all grade levels French certification assessment requirements

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.030
16 KAR 6:010

Applicable Goal:

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

Issue:

Should the Education Professional Standards Board waive language in 16 KAR 6:010 requiring an individual pursuing all grade levels French certification assessment requirements to successfully complete the Praxis II *Principles of Learning and Teaching: Grades K-6(0522)*, *Principles of Learning and Teaching: Grades 5-9 (0523)*, or *Principles of Learning and Teaching: Grades 7-12(0524)*, and *French: Content Knowledge (0173)*?

Background:

Kentucky requires the following Praxis II tests for all grade levels French certification:

- *PLT: Grades K-6 (0522)*
- *PLT: Grades 5-9 (0523)*, or
- *PLT: Grades 7-12 (0524)*, and
- *French: Content Knowledge (0173)*

To determine whether the Illinois Certification Testing System (ICTS) tests, *Assessment of Professional Teaching (APT): K-12 (104)* and *Foreign Language: French (127)* are equivalent to the *PLT (0522, 0523 or 0524)* and/or *French: Content Knowledge (0173)*, staff reviewed the Illinois test frameworks and study guides and the Educational Testing Service (ETS) Test at a Glance (TAAG) documents. Below is a summary of the review.

The *ICTS APT (104)* assesses a candidate's professional and pedagogical knowledge and skills. The test consists of 120 multiple choice questions and two constructed-response assignments covering the following topics:

- Foundations, Characteristics, and Assessment
- Planning and Delivering Instruction
- Managing the Learning Environment
- Collaboration, Communication, and Professionalism
- Language Arts
- Educational Technology

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The Praxis II *PLT tests* contain 12 short-answer and 24 multiple choice items. The tests cover the following topics:

- Students as Learners
- Instruction and Assessment
- Teacher Professionalism
- Communication Techniques

The *ICTS Foreign Language: French (127)* contains 100 multiple-choice questions and two constructed-response assignments covering the following areas:

- Listening Comprehension
- Reading and Vocabulary
- Language Structures and Acquisition
- Cultural Knowledge
- Written Expression
- Oral Expression

The *Praxis II French: Content Knowledge (0173)* contains 120 multiple-choice questions covering the following areas:

- Interpretive Listening
- Structure of the Language (Grammatical Accuracy)
- Interpretive Reading
- Cultural Perspectives

Alternative Actions:

1. Accept the *ICTS APT (104)* and *ICTS Foreign Language: French (127)* in lieu of the Praxis II tests: *PLT: Grades K-6 (0522)*, *PLT: Grades 5-9 (0523)*, or *PLT: Grades 7-12 (0524)* and *French: Content Knowledge (0173)*
2. Do not accept the *ICTS APT (104)* and *ICTS Foreign Language: French (127)* in lieu of the Praxis II tests: *PLT: Grades K-6 (0522)*, *PLT: Grades 5-9 (0523)*, or *PLT: Grades 7-12 (0524)* and *French: Content Knowledge (0173)*

Staff Recommendation:

Alternative Action 1

Rationale:

The *ICTS APT (104)* is designed to assess a prospective teacher's pedagogical knowledge. The test includes categories that are nearly identical to the *Praxis II PLT (0522)*, *(0523)*, and *(0524)*, as well as additional subcategories. The *ICTS APT (104)* also contains questions requiring a written response in addition to the multiple choice items, similar to the *Praxis II PLT*. Although the question types and content are not identical, it appears that the depth of knowledge of pedagogical constructs assessed through the *ICTS APT (104)* is sufficiently similar to that measured by the *Praxis II PLT*.

The *ICTS Foreign Language: French (127)* contains nearly identical content categories and question types, including interpretive listening, as those of the *Praxis II French:*

Content Knowledge (0713) test. Therefore, it appears the *ICTS Foreign Language: French (127)* test adequately measures the same knowledge and competencies as the *Praxis II French: Content Knowledge (0173)*.

Contact Person:

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(502) 564-4606
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Executive Director

Date:

September 14, 2009

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver C

Action Item:

Waiver of the Cooperating Teacher Eligibility Requirements

Applicable Statute or Regulation:

16 KAR 5:040, Section 2 (b) (c)

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.

Issue:

Should the Education Professional Standards Board (EPSB) grant a waiver of the cooperating teacher eligibility requirements?

Background:

Dr. Bobby Starnes, Chair, Berea College is requesting a waiver of Regulation 16 KAR 5:040, Section 2 (b) and (c) which requires a cooperating teacher to have “Rank II or the minimum of 15 hours of approved credit toward a Rank II and at least three (3) years of teaching experience on a Professional Certificate.” The request is for the Fall 2009 semester.

The candidate has requested an assignment with a male elementary teacher to experience having a male elementary teacher as a role model. Berea is trying to accommodate the candidate’s request; however, the college is challenged to locate qualified males in elementary schools to serve as cooperating teachers.

Berea has located a teacher who fulfills the request of the candidate and is willing to serve as a cooperating teacher. Gary Gay, second grade teacher at Silver Creek Elementary in Madison County, has six (6) hours of graduate coursework and will be in his third year of teaching. The principal supports the waiver request and has provided evidence of Mr. Gay’s success as a teacher at Silver Creek.

A copy of Chair Starnes’ letter and the letter from the principal are under separate cover. A copy of the pertinent part of the regulation is attached.

Alternative Actions:

1. Approve the waiver request of 16 KAR 5:040, Section 2 (c)
2. Deny the waiver request of 16 KAR 5:040, Section 2 (c)

Contact Person:

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Executive Director

Date:

September 14, 2009

16 KAR 5:040. Admission, placement, and supervision in student teaching.

RELATES TO: KRS 161.020, 161.028, 161.030, 161.042

STATUTORY AUTHORITY: KRS 161.028, 161.030, 161.042

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028 requires that an educator preparation institution 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. KRS 161.030 requires that a certificate shall be issued to a person who has completed a program approved by the Education Professional Standards Board. KRS 161.042 requires the Education Professional Standards Board to promulgate an administrative regulation relating to student teachers, including the qualifications for supervising teachers. This administrative regulation establishes the standards for admission, placement, and supervision in student teaching.

Section 1. Definition. "Cooperating teacher" or "supervising teacher" means a teacher employed in a school in Kentucky who is contracting with an educator preparation institution to supervise a student teacher for the purpose of fulfilling the student teaching requirement of the approved educator preparation program.

Section 2. Cooperating Teacher Eligibility Requirements. (1) Except as provided in subsection (2) of this section, the cooperating teacher, whether serving in a public or nonpublic school, shall have:

- (a) A valid Kentucky teaching certificate for each grade and subject taught;
 - (b) Attained Rank II certification;
 - (c) At least three (3) years of teaching experience on a Professional Certificate; and
 - (d) Taught in the present school system at least one (1) year immediately prior to being assigned a student teacher.
- (2) If a cooperating teacher has not attained Rank II certification, the teacher shall have attained a minimum of fifteen (15) hours of approved credit toward a Rank II within a minimum period of five (5) years.
- (3) Teachers assigned to a teaching position on the basis of a probationary or emergency certificate issued by the Education Professional Standards Board shall not be eligible for serving as a cooperating teacher.
- (4) In selecting a cooperating teacher, the district shall give consideration to the following criteria:
- (a) A demonstrated ability to engage in effective classroom management techniques that promote an environment conducive to learning;
 - (b) An ability to model best practices for the delivery of instruction;
 - (c) A mastery of the content knowledge or subject matter being taught;
 - (d) The demonstration of an aptitude and ability to contribute to the mentoring and development of a preservice educator;
 - (e) An ability to use multiple forms of assessment to inform instruction; and
 - (f) An ability to create a learning community that values and builds upon students' diverse cultures.

Section 3. Admission to Student Teaching. In addition to the appropriate sections of the National Council for Accreditation of Teacher Education (NCATE) standards which are incorporated under 16 KAR 5:010, each educator preparation institution shall determine minimum standards for admission to student teaching which shall include the procedures established in this section. Admission to student teaching shall include a formal application procedure for each teacher candidate.

(1) A record or report from a valid and current medical examination, which shall have included a tuberculosis test, shall be placed on file with the admissions committee.

(2) Prior to and during the student teaching experience, the teacher candidate shall adhere to the Professional Code of Ethics for Kentucky School Personnel established in 16 KAR 1:020.

Section 4. Teacher-student Ratio. The ratio of student teachers to cooperating teachers shall be one (1) to one (1).

Section 5. College Supervisor. (1) The college supervisor shall make periodic observations of the student teacher in the classroom and shall prepare a written report on each observation and share it with the student teacher.

(2) The observation reports shall be filed as a part of the student teacher record and also used as a validation of the supervisory function.

(3) A student teacher shall receive periodic and regular on-site observations and critiques of the actual teaching situation a minimum of four (4) times excluding seminars and workshops.

(4) The college supervisors shall be available to work with the student teacher and personnel in the cooperating school regarding any problems that may arise relating to the student teaching situation.

Section 6. Professional Experience. (1) In addition to the appropriate NCATE standards incorporated by reference under 16 KAR 5:010, the educator preparation institution shall provide an opportunity for the student teacher to assume major responsibility for the full range of teaching duties in a real school situation under the guidance of qualified personnel from the educator preparation institution and the cooperating elementary, middle, or high school. In placing the student teachers in classroom settings, the educator preparation program and the school district shall make reasonable efforts to place student teachers in settings that provide experiences, situations, and challenges similar to those encountered by first year teachers.

(2) Each educator preparation institution shall provide a full professional semester to include a period of student teaching for a minimum of twelve (12) weeks, full day, or equivalent, in school settings that correspond to the grade levels each and content area of the student teacher's certification program.

Section 7. Compensation of Cooperating Teachers. (1) The Education Professional Standards Board shall contract with the local school district, or make other appropriate arrangements, for the direct service of a cooperating teacher to each student teacher.

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(2)(a) The educator preparation institution shall electronically submit a report of all cooperating teachers and their corresponding student teachers to the Education Professional Standards Board:

1. On or before October 15 for a cooperating teacher supervising a student teacher during the fall semester; or
2. On or before February 15 for a cooperating teacher supervising a student teacher during the spring semester.

(b) Each report shall include:

1. The number of contract weeks that the cooperating teacher is working with each student teacher for that semester;
2. The cooperating teacher's full name and certificate number;
3. The student teacher's full name, Social Security number, demographic data, and contact information;
4. The student teacher's preparation and certification area by assigned certification code;
5. The names and assigned codes of the school and school district where the cooperating teacher is employed and the student teaching requirement is being fulfilled. If the certified cooperating teacher is employed in a nonpublic school which meets the state performance standards as established in KRS 156.160 or which has been accredited by a regional or national accrediting association, the institution shall submit the name, assigned code, and address of the school.

(c) If an educator preparation institution fails to provide the report by the date established in paragraph (a) of this subsection, the Education Professional Standards Board shall not be liable for payment under this administrative regulation.

(3)(a) Upon receipt of the report, the Education Professional Standards Board shall submit a "Cooperating Teacher Payment Voucher" to each cooperating teacher.

(b) The voucher, or its electronic equivalent if available, shall be signed by the cooperating teacher, building principal, and the college supervisor as verification of the cooperating teacher's service to the student teacher.

(c) To be eligible for compensation under this administrative regulation, the cooperating teacher shall submit the completed voucher to the Education Professional Standards Board:

1. On or before December 15 for a cooperating teacher supervising a student teacher during the fall semester; or
2. On or before May 1 for a cooperating teacher supervising a student teacher during the spring semester.

(d) If a cooperating teacher fails to provide the completed voucher, or its electronic equivalent, by the date established in paragraph (c) of this subsection, the cooperating teacher shall not be eligible to receive any compensation available under this administrative regulation.

(4)(a) The payment to a cooperating teacher shall be determined based upon available funding allocated under the biennial budget bill and the total number of weeks served by all cooperating teachers reported for the fiscal year.

(b) The payment shall be allocated to a cooperating teacher based upon the number of weeks the teacher supervised a student teacher as reported in subsections (2) and (3) of this section.

(5) Payments to cooperating teachers shall be disbursed to the school districts or to cooperating teachers in nonpublic schools by the Education Professional Standards Board:

- (a) On an annual basis; and
- (b) On or before June 15.

(6) Compensation to cooperating teachers shall be provided under this administrative regulation if state funds are appropriated for this purpose. Payment of state funds under this administrative regulation shall:

- (a) Be a supplement to the compensation provided by an educator preparation institution to a cooperating teacher who is supervising an institution's student teacher; and
- (b) Not supplant the educator preparation institutions' compensation responsibility.

Section 8. Incorporation by Reference. (1) "Cooperating Teacher Payment Voucher", revised 7/2000, 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 a.m. to 4:30 p.m. (23 Ky.R. 4281; eff. 8-4-97; Am. 27 Ky.R. 1082; 1475; eff. 12-21-2000; 28 Ky.R. 2077; 2347; eff. 5-16-2002; Recodified from 704 KAR 20:706, 7-2-2002; 33 Ky.R. 838; 1274; eff. 12-1-06.)