

The actions delineated below were taken in open session of the EPSB at the September 14, 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
September 14, 2009**

Call to Order

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

Roll Call

The following members were present during the September 14, 2009 EPSB meeting: Frank Cheatham, Michael Dailey, John DeAtley, Cathy Gunn, Mary Hammons, Lynn May, Gregory Ross, Becky Sagan, Zenaida Smith, Bobbie Stoess, Tom Stull, Mark Wasicsko, Lorraine Williams, and Cynthia York. Lonnie Anderson and Sandy Sinclair-Curry were absent.

Recognition of Former Board Member

Chair Lorraine Williams recognized Mr. James Hughley for his outstanding service as an EPSB board member. She informed the board that it was a historic moment when Mr. Hughley joined the board. He was the first board member to be certified as a teacher through the Troops to Teachers program. Mr. Hughley explained that it was a hard decision to separate himself from the EPSB, but ultimately he decided that it would be an excellent opportunity to work with the Kentucky Education Association (KEA). He stated that the EPSB's work is vital to the education profession and the Commonwealth of Kentucky.

Approval of August 3, 2009 Minutes

Motion made by Dr. Mark Wasicsko, seconded by Ms. Zenaida Smith, to approve the August 3, 2009 minutes.

Vote: *Unanimous*

Open Speak

There were no requests for Open Speak.

Report of the Executive Director

Dr. Rogers discussed the P-20 Data Collaborative Grant with the board. He explained that the Kentucky Department of Education (KDE), the Council on Postsecondary Education (CPE), and the EPSB entered into a Memorandum of Agreement for the purpose of creating a P-20 Data Collaborative to oversee the project of merging P-20 data and making it available for reporting, analysis, and research. Ultimately, it will allow policymakers to study linkages between preparation programs, teaching success, and student achievement. The system will be constructed via a series of grants; the third phase of the grant is currently being written. Funding through this grant will allow the

EPSB to contract with the Martin School of Public Policy and Administration for research assistance.

Dr. Rogers referred to the National Education Association (NEA) report, *Children of Poverty Deserve Great Teachers: One Union's Commitment to Changing the Status Quo*, in the board's folders. He stated that this new report discusses NEA's commitment to support quality teaching in high-need schools.

Dr. Marilyn Troupe welcomed and introduced four new Kentucky deans/chairs: Dr. Tom Payne, Brescia University Chair; Dr. Mary John O'Hair, University of Kentucky Dean; Dr. Eve Proffitt, Georgetown College Interim Dean; and Sister Mary Shaughnessy, St. Catharine College Chair.

Ms. Zenaida Smith welcomed nine of her high school students who attended the board meeting. These students translated the Code of Ethics for the board as a project in her Spanish class. One of the students, Ms. Brandi Waggoner, explained how the students translated the Code of Ethics. She said that she and her classmates are always looking for opportunities to help the community. She presented Dr. Rogers with a final copy of the Code of Ethics and said it would be an honor to assist the board with other projects in the future. Ms. Smith's students introduced themselves to the board. Their names were as follows: Michael Hall, Jenifer Phillips, Brandi Waggoner, Rachael Craig, Haley Abrams, Brittany Meadows, Steven Shorts, Cody Risner, and Loren Huffman. Dr. Rogers thanked the students and said he would be contacting Ms. Smith in the near future with another project for the students.

Report from the Kentucky Department of Education (KDE)

Mr. Michael Dailey reported on the recent events of KDE. He stated that KDE is focused on Race to the Top efforts. He said that Kentucky is poised well to receive Race to the Top funding due in part to Senate Bill 1 requirements, which call for education reform. He said teacher effectiveness seems to be an emerging lead theme in the Race to the Top proposal. There are four components to the application:

- * Adopting internationally benchmarked standards and assessments that prepare students for success in college and the workplace;
- * Recruiting, developing, retaining, and rewarding effective teachers and principals;
- * Building data systems that measure student success and inform teachers and principals how they can improve their practices; and
- *Turning around our lowest-performing schools

Report from the Council on Postsecondary Education

Mr. John DeAtley reported that CPE, KDE, and the EPSB have been working closely together on Senate Bill 1 efforts and the Race to the Top application. He said that CPE is currently waiting for the new CCSSO standards to be published before more work can be done on SB 1 requirements. These standards should be released by the middle of September.

Mr. DeAtley further reported that CPE has been busy scheduling and conducting conferences. On September 11th, the 2009 Governor's Conference on Postsecondary Education Trusteeship was held in Bowling Green. An ACT summit will be held on November 19th in Bowling Green and on November 20th in Lexington.

Mr. DeAtley stated that CPE leadership has shifted into budget mode in preparation for the biennium budget. The Governor told the Governor's Conference attendees on September 11th that the outlook for the state budget is not good as recovery is occurring later in Kentucky, and the 2010 budget promises no new money.

Ms. Zenaida Smith stated that she appreciates the three education agencies' working together. Dr. Rogers stated that he would still like to discuss the possibility of a joint meeting of all three agencies. He has spoken with the other agency heads to see if this could be arranged.

Dr. Rogers informed the board that separate presentations will be given on the SB 1 initiative and the principal preparation redesign at the EPSB's October meeting.

Report of the Chair

New Appointment and Reappointments to the Accreditation Audit Committee (AAC)

Chair Williams appointed Ms. Joy Gray to the AAC. Dr. Zella Wells, Dr. Jack Rose, and Ms. Judi Conrad were reappointed.

Reappointments to the Continuous Assessment Review Committee (CARC)

Chair Williams reappointed the following individuals to CARC: Dr. Bonnie Banker, Dr. Lenore Kinne, Dr. Ann Larson, Dr. Renee Campoy, and Dr. Paul Erickson.

New Appointment to the Master's Redesign Review Committee

Chair Williams appointed Dr. Terri Cox-Cruey and Ms. Harrie Buecker to the Master's Redesign Review Committee.

New Appointments and Reappointments to the Reading Committee

Chair Williams appointed the following individuals to the Reading Committee: Ms. Peggy Jones, Ms. Misty Buchanan, Ms. Pam Geisselhardt, Dr. Christopher Cook, Ms. Debra Wakefield, Ms. Claudette Pettus, Dr. Anne Bucalos, Dr. Angela Hurley, and Dr. Melissa Gibson. Dr. Karen Karp and Ms. Kristi Jenkins were reappointed.

Committee Reports

Nominating Committee

2009-053

Motion made by Dr. Frank Cheatham, seconded by Dr. Mark Wasicsko, to nominate and elect Ms. Lorraine Williams as chair.

Vote: *Unanimous*

2009-054

Motion made by Dr. Cheatham, seconded by Dr. Wasicsko, to nominate and elect Mr. Tom Stull as vice-chair.

Vote: *Unanimous*

Evaluation of the Executive Director Committee

Dr. Frank Cheatham reported that evaluations for Dr. Rogers were mailed to the board and EPSB staff at the beginning of September. Evaluations should be postmarked to the committee by September 15th. The committee will report to the board on the results of the evaluation at its October meeting.

Information/Discussion Item

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

Mr. Mike Carr reported on proposed changes to 16 KAR 2:010. These changes are mostly a result of the Certification Task Force recommendations that were approved at the May 2009 EPSB meeting.

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 1 in grades 10 and 11;
- * The addition of a new endorsement 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 (2) into the 90 point formula, clarify the experience accepted, and make changes in the certification areas affected.

Mr. Carr further reported that the Career/Technical Education Work Group met and recommended a change to the regulation to change a certificate area name from "Technology Education" to "Engineering and Technology." Mr. Carr stated that this change was recommended as it more closely reflects the work in this area as well as helping to eliminate some confusion on the Local Educator Assignment Data (LEAD) report as to what specific areas are covered under the technology education certificate.

16 KAR 2:120. Emergency Certification and Out-Of-Field Teaching, Notice of Intent

Mr. Carr reported that changes to full-time emergency certificates were recommended by the Certification Task Force that convened in early fall 2008. The recommended 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. A certificate may be re-issued to the same person for one year and for one time only if the original emergency certificate was issued after February 15th of a school year or if the original emergency certificate was used to cover 50 percent or less of the individual's teaching assignment. Mr. Carr stated that upon board approval, this regulation should be approved by next spring, which will give one year's notice to school districts before full implementation on July 1, 2011. This regulation will be brought before the board for final action at the October EPSB meeting.

16 KAR 2: . Probationary Endorsement for Teachers for English as a Second Language, Notice of Intent (to Promulgate New Regulation)

Mr. Carr reported that this proposed new regulation and form are the result of a Certification Task Force recommendation that was approved by the EPSB at its May

2009 meeting. This new regulation would create a new probationary endorsement for teachers of English as a Second Language, grades P-12. He further added that this new endorsement will greatly increase the options for local school districts as they look to fill this shortage teaching area. This regulation will be brought before the board for final action at the October EPSB meeting.

Awarded Contracts

Mr. Gary Freeland reported that contracts totaling \$43,709 were awarded to the eight public universities for the KTIP program to provide funding to support the Career and Technical Education teacher educators and the training of KTIP committee members. Funding for this contract was given to the EPSB through the Federal Perkins Grant under the Education and Workforce Development Cabinet.

Mr. Freeland further reported that two attorneys (Ms. Katie Morgan and Ms. Whitney Crowe) were each awarded a contract totaling approximately \$40,000. These contracts replaced those of two former attorneys whose contracts were cancelled. Both attorneys will work at the EPSB office under the direct supervision of Ms. Alicia Sneed, the director of the Division of Legal Services.

Action Items

Approval of Contracts

2009-055

Motion made by Dr. Cathy Gunn, seconded by Mr. Greg Ross, to allow the executive director to request a Request for Application (RFA) to solicit applications for funding to provide National Board Mentoring services. The total estimated amount of these contracts will be \$250,000.

Vote: *Unanimous*

2009-056

Motion made by Ms. Cynthia York, seconded by Ms. Bobbie Stoess, to allow the executive director to issue a Request for Proposal (RFP) for a program assistant to assist with KYEducators.org.

Vote: *Unanimous*

2009-057

Motion made by Mr. John DeAtley, seconded by Mr. Michael Dailey, to allow the executive director to issue an RFA to solicit candidates to provide CEO scoring services. The total amount of the multi-vendor contract is approximately \$75,000.

Vote: *Unanimous*

2009-058

Motion made by Ms. Lynn May, seconded by Ms. Zenaida Smith, to allow the executive director to sign two memoranda of agreement (MOAs) regarding the P-20 Data Warehouse Project.

Vote: *12 – Yes*

2 – Recuse (Mr. John DeAtley; Mr. Michael Dailey)

2009-059

Motion made by Ms. May, seconded by Ms. Becky Sagan, to allow the executive director to sign a contract with the National Board for Professional Teaching Standards (NBPTS).

Vote: *Unanimous*

Dr. Mark Wasicsko asked to see a copy of the National Board agreement. Mr. Gary Freeland provided the board with copies of the agreement later in the meeting.

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

Dr. Gary Pate, Dr. Melissa Gibson, and Ms. Norma Patrick from the University of the Cumberland were called to the table to answer board questions. Dr. Troupe stated that the university is seeking program approval for a Master of Arts in Teaching in Biological Science 8-12, Chemistry 8-12, Earth Science, 8-12, and Physics 8-12. Dr. Pate stated that the University of the Cumberland has had a good history of providing quality teachers for Kentucky, including its MAT programs.

Dr. Frank Cheatham asked for the distinction between part-time faculty and adjunct faculty. Dr. Pate responded that there are university full-time faculty, department part-time faculty, and adjunct faculty. He added that the adjunct faculty is very involved with students. They attend portfolio defenses, participate in graduations, serve on committees, etc.

Dr. Mark Wasicsko stated his concern that within the last five years, the University of the Cumberland has graduated a limited number of students in the science areas. Additionally, Dr. Wasicsko stated that content specific methodology is a program expectation; however, the supplied faculty list does not include anyone with a science methodology background. He expressed concern that the programs have insufficient faculty and resources. Dr. Troupe stated that she contacted Dr. Pate regarding similar concerns, and Dr. Pate sent a list of science faculty for each of the science content areas.

Dr. Wasicsko asked University of the Cumberland representatives about admission criteria for the program. Dr. Melissa Gibson stated that the university primarily uses letters of recommendation and writing samples from applicants for entrance. Dr. Troupe stated that it does not appear that the university is following the admission criteria in the plan submitted to EPSB staff. The plan submitted to staff indicated that applicant interviews were conducted upon admittance.

Dr. Wasicsko asked how staff monitors the programs. Dr. Troupe stated that staff monitors the programs through the accreditation process, Praxis scores, teacher surveys, and annual reports. Dr. Wasicsko stated that he is concerned about the university's admission requirements. He added that research has indicated that letters of reference have proven to be relatively useless. Dr. Gibson asked Dr. Wasicsko for suggestions. Dr. Wasicsko suggested speaking with colleagues who have similar programs.

Mr. John DeAtley said that the program appears to meet the regulatory requirements set forth by the board. Dr. Wasicsko questioned whether the documentation submitted to the Review Committee reflects the way the program will actually be administered.

2009-060

Motion made by Mr. John DeAtley, seconded by Dr. Frank Cheatham, to approve the proposed Biological Science 8-12 (MAT), Chemistry 8-12 (MAT), Earth Science 8-12 (MAT), and Physics 8-12 (MAT) preparation program addition.

Vote: 13- Yes

1- Abstain (Dr. Mark Wasicsko)

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 Cumberlands

Dr. Troupe reported that this is the first mentoring plan the board has reviewed for MAT programs for Alternative Route to Certification programs. The board raised several questions and/or concerns regarding the mentoring plan. Dr. Cathy Gunn expressed concern that a student could be assigned a poor mentor. She recommended that the university be more involved with monitoring mentors, as these candidates are placed directly in the classroom with children upon admission to the program. Chair Williams commented that the board concerns are not confined to the university but pertain to mentoring in general. Dr. Rogers stated that, as the board refines its understanding, it may wish to revisit mentoring in Option 6 programs. Dr. Wasicsko suggested an Option 6 summit.

2009-060

Motion made by Ms. May, seconded by Mr. Ross, to approve University of the Cumberland's alternative route to certification proposal for the MAT in four science areas: Chemistry, Physics, Earth Science, and Biology.

Vote: Yes – 12

No- 1 (Dr. Cathy Gunn)

Abstain- 1 (Dr. Mark Wasicsko)

Approval of Teacher Leader Master's and Endorsement Program, Bellarmine University

2009-061

Motion made by Dr. Cheatham, seconded by Dr. Gunn, to approve the Bellarmine University request for the Master of Arts in Education in Teacher Leadership (P-12) and Endorsement Program.

Vote: Unanimous

Dr. Cindy Gnadinger stated that the entire review experience has been positive and a total team effort among faculty and school partners.

2009 Title II Report

Dr. Troupe reported that the annual Title II report is a statutory requirement. She stated that all institutions had at least an 80% pass rate.

2009-062

Motion made by Mr. DeAtley, seconded by Dr. Wasicsko, to approve the 2007-2008 Title II Report for submission to the USDOE.

Vote: *Unanimous*

Dr. Troupe explained to the board that the Title II report will change significantly in the near future. Institutions will be required to send their reports to the USDOE directly as well as to the EPSB. Kentucky will also be required to send a report to the USDOE. Institutions will also be required to complete separate reports for traditional and alternative programs.

In addition, Dr. Troupe reported that in order to achieve a 100% pass rate, many institutions require students to pass required Praxis exams before student teaching. Congress is aware that this process is occurring and is asking institutions questions about their clinical practice, the number of students taking courses before and after student teaching, the number of hours spent in clinical practice and coursework, etc. She explained that webinars have been available discussing the changes, and the comment stage has closed. The new official form is now available for use by institutions. Staff will be speaking to the board further about the new form at an upcoming board meeting.

2009-2010 Emergency Non-Certified School Personnel Program

2009-063

Motion made by Ms. Zenaida Smith, seconded by Mr. DeAtley, to approve the local school districts' applications for the Emergency Non-Certified School Personnel Program, 2009-10.

Vote: *Unanimous*

Waivers

16 KAR 2:010. Kentucky Teaching Certificates, Request for Second Extension to Complete Master's Degree, Ms. Sheila Donaldson

2009-064

Motion made by Mr. Ross, seconded by Ms. Mary Hammons, to approve Ms. Sheila Donaldson's waiver request.

Vote: *12- Yes*

1- No (Dr. Mark Wasicsko)

1- Recuse (Dr. Cathy Gunn)

16 KAR 6:010. Written Examination Prerequisites for Teacher Certification, Request to Waive All Grade Levels French Certification Assessment Requirements

2009-065

Motion made by Mr. DeAtley, seconded by Dr. Gunn, to 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).

Vote: *Unanimous*

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. Kathryn Akural was called to the table to answer board questions.

2009-066

Motion made by Dr. Mark Wasicsko, seconded by Ms. Lynn May, to approve the waiver request of Dr. Bobby Starnes on behalf of Mr. Gary Gay.

Mr. John DeAtley asked whether the basis for the waiver request is solely due to the student teacher's requesting a male mentor. Dr. Akural responded in the affirmative, that the student teacher specifically requested a male mentor. She added that the student teacher is a very strong, articulate, and committed teacher who is concerned about the lack of male teachers in the elementary school setting. University faculty wanted to honor his request but have been unsuccessful in finding a willing cooperating teacher who meets the requirements. She added that Mr. Gay is an excellent teacher.

Mr. DeAtley responded that from his perspective gender alone is not a good reason to waive a regulation. Mr. Greg Ross stated that as a male elementary school teacher, he understands the request, but Mr. Gay is not even close to meeting the cooperating teacher requirements. Mr. Tom Stull stated his belief that this is a valid waiver request and he will support it. He added that he can understand why the student teacher wants to see another male perform in an elementary school setting. Ms. Lorraine Williams voiced her agreement with Mr. Stull.

Board attorney Angela Evans cautioned the board. She said it does appear that this waiver request was made solely because of gender and that the board may be heading down a path it might want to reconsider because other qualified teachers could serve as a cooperating teacher. Dr. Cathy Gunn stated that the student teacher could be placed with a qualified cooperating teacher and still receive mentoring from a male teacher.

Vote: Yes – 5

No – 7

Recuse – 2 (Dr. Cathy Gunn, Mr. Michael Dailey)

Board Comments

Mr. Greg Ross commented that with mentoring in mind, it would be a good idea for MAT programs to be structured like the Kentucky Teacher Internship Program. Chair Williams and Dr. Rogers thanked Ms. Zenaida Smith for assigning her students the task of translating the Code of Ethics and bringing the students to the meeting.

**DISCIPLINARY MATTERS:
MINUTES OF CASE REVIEW
September 14, 2009**

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

Vote: Unanimous

Motion made by Dr. Cathy Gunn, seconded by Mr. Tom Stull, to return to open session.

Vote: Unanimous

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

Frank Cheatham, Lorraine Williams, Tom Stull, Mary Hammons, John DeAtley, Cathy Gunn, Cynthia York, Bobbie Stoess, Michael Dailey, Lynn May, and Gregory Ross.

Attorneys present were Alicia A. Sneed and Angela Evans.

Vote: *Unanimous*

INITIAL CASE REVIEW

<u>Case Number</u>	<u>Decision</u>
0905237	Defer for proof
0905243	Defer for proof
0905353	Dismiss
0905265	Dismiss
0905229	Defer
0905239	Defer for proof
0906368	Defer for proof
0905255	Hear
0905313	Defer for proof
0907449	Defer for proof
0907442	Admonish
0906432	Admonish
0907439	Hear
0905287	Defer
0905249	Defer for proof
0905325	Hear
0905303	Defer for proof
0903137	Hear
0905319	Dismiss
0905337	Hear
0905345	Hear
0906386	Defer for proof
0905341	Admonish
0906392	Defer for proof
0906362	Hear (<i>Ms. Williams and Mr. Dailey, recused</i>)
0906388	Admonish
0906394	Admonish
0906401	Hear (<i>Ms. Williams and Mr. Dailey, recused</i>)
0905343	Admonish
0906419	Hear
0906364	Admonish
0907454	Dismiss
0905315	Defer for proof
09005245	Defer
0904177	Dismiss

0905351	Hear (<i>Ms. Hammons, recused</i>)
0907447	Admonish
0906417	Hear
0903125	Hear
0906366	Hear
0905335	Hear
0906409	Dismiss
0905349	Hear
0905347	Admonish
0904210	Defer for proof
0905355	Hear
0906403	Admonish
0905274	Defer
0905241	Hear
0905251	Defer for proof
0905311	Dismiss
0905257	Admonish
0905272	Defer for proof
0904195	Hear
0905247	Hear
0906411	Admonish
0906413	Admonish
0906434	Hear
0905331	Hear
090155	Dismiss

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
09638	Approve
09697	Approve
09709	Approve
09700	Approve
09702	Approve
09712	Approve
09727	Approve
09734	Defer
09737	Approve
09684	Approve
09747	Approve
09752	Approve
09754	Approve
09765	Approve
09768	Approve
09772	Approve
09776	Approve
09706	Approve

09777	Approve
09789	Approve
09800	Approve
09801	Approve
09821	Approve
09823	Defer
09483	Approve
09837	Approve
09824	Approve
09851	Approve
09853	Approve
09854	Approve
09767	Approve
09810	Approve
09862	Approve
09866	Approve
09836	Approve
09781	Deny
09871	Approve
09872	Approve
09874	Approve
09858	Deny

Agreed Orders

Case Number

Decision

08121234 (Jason Neelly)

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

Vote: *Unanimous*

05-05101 (Johnny Turner)

Accept Agreed Order which admonishes Respondent as follows: The Board hereby admonishes Respondent for his failure to maintain the dignity and the integrity of the teaching profession due to his 2007 conviction under 18 United States Code (U.S.C.) § 597 for his campaign making expenditures to influence voting while a candidate for the Kentucky State Senate. Although Respondent was not convicted for a willful violation of 18 U.S.C. § 597, as the leader of his

campaign he was responsible for ensuring compliance with all state and federal election law. Even as an elected official, Respondent represents the education profession. The Board reminds Respondent that as a leader and an educator, he has a duty to ensure that all applicable laws and regulations are followed. The Board will not tolerate any further incidents of misconduct from Respondent.

Vote: *Unanimous*

06-06172 (Stephanie Poynor) Accept Agreed Order which states as follows: Maintenance of Respondent's certificate shall require Respondent to meet the following conditions: 1. Respondent shall provide written proof that she has completed a course in anger management counseling by January 1, 2010, as approved by the Board. Any expenses incurred for said training shall be paid by Respondent; 2. Respondent shall provide written proof that she has completed a twelve (12) hour course in diversity training by June 30, 2010, as approved by the Board. Any expenses incurred for said training shall be paid by Respondent; 3. Prior to taking any certified position in a Kentucky Public School, Respondent shall complete a twelve (12) hour professional development course on the Professional Code of Ethics for Kentucky Certified School Personnel. Respondent shall provide written proof to the Board of completion of the professional development course and any expenses incurred for said training shall be paid by Respondent. Should Respondent fail to complete any of the conditions listed above, the Board shall automatically suspend her certificate for an additional period of one year.

Vote: *Unanimous*

0903151 (Pamela Wiggins) Accept Agreed Order Board admonishing Respondent for failing to report to local law enforcement a student's potential involvement in a homicide. An educator is prohibited from demonstrating willful or careless disregard for the health, welfare, or safety of others. Respondent's conduct in this matter jeopardized not only the safety of the student who was potentially involved in the crime, but the safety of herself and other students who may have known of the student's

alleged involvement in the homicide. This settlement agreement is expressly conditioned upon the following: 1. Respondent shall provide written proof to the Board that she has been assessed by a state certified mental health counselor approved by the board and is competent to fulfill her duties as an educator by December 31, 2009. Respondent shall provide proof that she has complied with any treatment recommendations proposed by the mental health counselor and shall continue to provide treatment records to the Board until she has been released from treatment by the counselor. Any expense incurred for the assessment or follow-up treatment shall be paid by Respondent; and 2. Respondent shall provide written proof to the Board by June 30, 2010 that she has completed twelve (12) hours of professional development or training in the area of professional ethics. Any expense incurred for the training shall be paid by Respondent. Respondent agrees that should she fail to satisfy the above conditions, her certificate shall be automatically suspended until she provides written proof to the Board that she has completed the conditions.

Vote: *Unanimous*

07111985 (Terri Turner)

Accept Agreed Order which states as follows:

1. Respondent shall be prohibited from applying for or receiving a certificate for teaching exceptional children with moderate and severe disabilities for a period of three (3) years beginning on the date the Board approves this Agreed Order. 2. If Respondent is issued a certificate, she shall be placed on probation for a period of two (2) years beginning on the date of issuance of the certificate. During the period of probation, Respondent shall receive no disciplinary action from any school district in which she is employed. "Disciplinary action" shall be defined as any public 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. Should Respondent violate this condition, her certificate shall be automatically suspended for one (1) year, and the Board may initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

06-09232 (Robin Owsley)

Accept Agreed Order revoking Respondent's certificate. Respondent shall neither apply nor be issued a teaching certificate in the Commonwealth of Kentucky for a period of seven years beginning December 18, 2006. 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 end of the seven year period, issuance of any certificate to Respondent or on her behalf is subject to the following conditions. 1. Respondent shall submit written proof to the Board that she has complied with all conditions of probation outlined in the Order Granting Shock Probation entered on April 25, 2007 in 06-CR-00054 and is released from probation. 2. Respondent shall submit to the Board a Kentucky State Police criminal records check indicating that she has received no criminal convictions since December 18, 2006. Any expense in meeting these conditions shall be paid by Respondent. If Respondent fails to satisfy these conditions, the Division of Certification shall not issue any certificate to Respondent or on her behalf. If Respondent does satisfy these conditions, any certificate issued to Respondent or on her behalf shall be subject to the following conditions for the life of the certificate. 1. Respondent shall not be convicted of any crime. Should Respondent violate this condition, her certificate shall be automatically suspended for a period of two years and subject to additional sanction by the Board pursuant to KRS 161.120. 2. Respondent shall, in accordance with KRS 161.175, submit to random drug and/or alcohol testing to be administered by a provider approved by the Board. Any expense for this test shall be paid by Respondent. If any test is positive for any illegal substances or byproducts of illegal substances, or registers an alcohol reading of .02 or above, her certificate shall be automatically suspended for a period of two years and subject to additional sanction by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

06-11262 (Glenn Miller)

Accept Agreed Order revoking Respondent's certificate. Respondent shall neither apply nor be issued a certificate in the Commonwealth of Kentucky for a period of seven years beginning August 15, 2007. 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 end of the seven year period, issuance of any certificate to Respondent or on his behalf is subject to the following conditions. 1. Respondent must submit written proof to the Board that he has successfully complied with all conditions of his diversion program as outlined in the Judgment of Conviction and Sentence entered on October 16, 2007 in Perry Circuit Court and that 07-CR-00158 has been dismissed. 2. Respondent must submit to the Board a Kentucky State Police criminal records check indicating that he has no criminal convictions since August 15, 2007. Any expense in meeting these conditions shall be paid by Respondent. If Respondent fails to satisfy these conditions, the Division of Certification shall not issue any certificate to Respondent or on his behalf. If Respondent does satisfy these conditions, any certificate issued shall be subject to the following conditions for the life of the certificate. 1. In accordance with KRS 161.175, 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 any illegal substances or byproducts of illegal substances, Respondent's certificate shall be automatically suspended for a minimum of two years and the Board may pursue additional disciplinary sanctions. 2. Respondent shall not be convicted of any crime. Should Respondent violate this condition, his certificate shall be automatically suspended for a minimum of two years and the Board may pursue additional disciplinary sanctions.

Vote: *Unanimous*

0803678 (Robert Haney)

Accept Agreed Order which states as follows: Respondent voluntarily surrenders his certificate. Respondent shall immediately surrender the original

and all copies of this certificate to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601. Issuance of any future certificate to Respondent or on his behalf is conditioned upon Respondent submitting written proof to the Board that he has completed eighteen hours of professional development and or training, at his own expense and approved by the Board, in behavior and classroom management techniques for exceptional children. If Respondent fails to satisfy this condition, the Division of Certification shall not issue a certificate.

Vote: *Unanimous*

06-0364 (Vonda Myers)

Accept Agreed Order suspending Respondent's certificate for a period of one (1) year to begin effective May 27, 2009. During the one (1) year suspension period, Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky. Respondent shall surrender the original certificate and all copies to EPSB, by hand-delivery or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky, 40601. In addition to any educational requirements, re-issuance of Respondent's teaching certificate at the conclusion of the one (1) year period is expressly conditioned upon Respondent providing written evidence to the Board that she has complied with the following:

1. Respondent shall complete twelve (12) hours of ethics training. Any expense for required training shall be born by the Respondent.
2. Prior to re-issuance, Respondent shall supply the Board with a current national and state criminal background check. Any expense for the criminal background check shall be born by the Respondent.
3. Prior to re-issuance, Respondent shall supply to the Board letters of recommendation from two (2) educators with current Kentucky certification in good standing in which the educators attest that Respondent is morally and ethically fit to hold a teaching certificate. Failure to meet any of the above conditions will result in Respondent being denied re-issuance of a Kentucky teaching certificate at the conclusion of the one (1) year period.

Vote: *Unanimous*

0905227 (David Schlosser) Accept Agreed Order which states as follows: From the date this order is approved by the Board, Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of two (2) years. 1. By December 31, 2009, Respondent shall undergo a comprehensive substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor as approved by the Board and shall present written evidence to the Board that he has complied with the assessment process and has successfully completed any and all treatment recommendations. If Respondent is not able to complete all treatment recommendations by December 31, 2009, he shall submit quarterly written progress reports from his chemical dependency counselor until such time as the counselor releases him from treatments. If Respondent has not successfully completed all treatment recommendations by the end of the two (2) year probationary period, Respondent agrees that the probationary period shall be extended and he shall submit quarterly written progress reports from the chemical dependency counselor to the Board until such time as the counselor releases him from treatment. Any expense for the assessment, treatment and/or reports shall be paid by Respondent. 2. Respondent shall be subject to random drug testing and shall have no positive drug tests during the two (2) year probationary period. 3. Respondent shall not be convicted of any crime involving a controlled substance and/or alcohol. By entering into this Agreed Order, Respondent agrees that should he fail to satisfy any of these conditions, his certificate shall be automatically suspended for a period of six (6) months. If applicable, at the conclusion of the six (6) month suspension, his certificate shall remain suspended until such time as all of the above conditions are met. Respondent is aware that should he violate KRS 161.120 either during or following this two year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

08020507 (Ginger Neace) Accept Agreed Order suspending Respondent's teaching certificate for a five (5) day period beginning June 30-July 5, 2009. Further, Respondent must successfully complete her diversion with the Bourbon District Court. Respondent must provide the Board with proof within two weeks of the completion of the diversion that she was successful in completing same. Further, Respondent is required to continue in her treatment for her mental health issues and provide quarterly reports to the Board that she is complying with that treatment and taking her medication as required by her treatment provider. Respondent is required to submit quarterly reports for a period of two (2) years following the completion of her diversionary period. If Respondent fails to keep the Board advised through her quarterly reports, or fails her diversion, or commits another crime, it will result in an automatic suspension of her teacher's certificate. Her certificate will remain suspended until she complies with all the requirements of this Agreed Order.

Vote: *Unanimous*

0904167 (Annis Tichenor) Accept Agreed Order retroactively suspending Respondent's certificate, including any and all endorsements, for a period of one year from March 31, 2008 through March 31, 2009. 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. Failure to do so shall result in further disciplinary action by the Board.

Vote: *Unanimous*

0804690 (Kimberly Hall) Accept Agreed Order suspending Respondent's certificate retroactively, for a period of thirty (30 days), from July 1, 2008 up to and including July 30, 2008. 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. Respondent is admonished 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. By publicly displaying derogatory language on the body of a student and allowing an aide to do the same, Respondent unnecessarily subjected the students to public embarrassment. In the future, Respondent should be more cognizant of appropriate disciplinary techniques. Respondent also needs to take measures to ensure that all special education documentation is completed and all ARC meetings are scheduled and completed on time. The Board recognizes that Respondent has taken professional development to re-familiarize herself with special education law and will continue to do so in the future. Respondent shall provide written proof to the Board that she has received twelve (12) hours of professional development/training in the area of ethics, as approved by the Board, no later than July 1, 2010. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition by July 1, 2010, her teaching certificate will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

Vote: *Unanimous*

090120 (Creth Boyd)

Accept Agreed Order which states as follows:
Respondent shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future. Respondent shall surrender the original and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

05-12223 (Brian Spears)

Accept Agreed Order suspending Respondent's certificate for fifteen (15) days beginning September 26, 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. This agreement is expressly conditioned upon Respondent providing proof of the following to the Board: 1. By December 1, 2009, Respondent shall submit written proof from a board certified

mental health professional that he is fit to be in the classroom. Any costs associated with this evaluation shall be paid by Respondent. Should Respondent fail to satisfy this condition, his certificate shall be suspended and shall not be reinstated until the condition has been met.

Upon reinstatement, Respondent's certificate shall be 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 student/teacher boundaries as approved by the Board. Any expense for the training shall be paid by Respondent. 2. Respondent shall receive no disciplinary action involving student/teacher boundaries 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 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*

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

Vote: *Unanimous*

Meeting adjourned at 3:30 p.m.

Next Meeting:

October 19, 2009
9:00 AM
EPSB Board Room
Frankfort, Kentucky