

The actions delineated below were taken in open session of the EPSB at the January 14, 2008 regular 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 Business Meeting
EPSB Offices, 100 Airport Road, 3rd Floor
Frankfort, Kentucky
January 14, 2008**

Call to Order

Chairman Jim Cibulka convened the meeting at 9:00a.m. (EST).

Roll Call

The following members were present: Lonnie Anderson, Frank Cheatham, Jim Cibulka, John DeAtley/Jim Applegate, Sam Evans, Jennifer Forgy, Rebecca Goss, Mary Hammons, Allan Paul, Zenaida Smith, Bobbie Stoess, Tom Stull, Lorraine Williams, and Cynthia York. Kent Juett, Rita Presley, and Steve Schenck were absent.

Introduction of Secretary Helen Mountjoy

Secretary Helen Mountjoy thanked the board for agreeing to serve the Commonwealth of Kentucky. She acknowledged the importance of the ongoing support of teachers for a successful education system.

Swearing-In and Introduction of New EPSB Members

Notary Public Ashley Abshire administered the oath to the EPSB's new board members, Ms. Mary Hammons and Ms. Bobbie Stoess.

Ms. Bobbie Stoess and Ms. Mary Hammons expressed their delight and honor to serve on the board. Ms. Stoess has taught in Oldham County for thirty years at Crestwood Elementary. Ms. Mary Hammons has taught in the Knox County school system for over thirty years, serving twenty years as a gifted and talented program teacher.

Amendment of January 14, 2008 EPSB Meeting Agenda

Motion made by Ms. Lorraine Williams, seconded by Dr. Frank Cheatham, to amend the January 14, 2008 agenda to remove Action Item B. 16 KAR 7:010. Kentucky Teacher Internship Program, Amendment, Final Action and add Action Item, Waiver C. 16 KAR 5:040. Request to Waive the Cooperating Teacher Eligibility Requirements, Dr. James Cibulka on behalf of Ms. Christi Elkins-Gabbard.

Vote: *Unanimous*

Approval of November 19, 2007 Minutes

Motion made by Ms. Rebecca Goss, seconded by Ms. Jennifer Forgy, to approve the November 19, 2007 minutes.

Vote: *Unanimous*

Recognition of Out-Going EPSB Member Lydia Coffey

Chairman Cibulka recognized Ms. Lydia Coffey for her valuable service to the board. She is the longest serving EPSB member, with her service beginning at the EPSB's inception in 1990. In 1998, Ms. Coffey was reappointed by the governor and served until September 2007.

Ms. Coffey said her service to the board was a life-changing experience that she will never forget. She emphasized the importance of holding institutions accountable and ensuring that they meet the EPSB standards.

Open Speak

There were no requests for Open Speak.

Report of the Executive Director

Report from the Kentucky Department of Education (KDE)

Chairman Cibulka introduced Commissioner Jon Draud. Commissioner Draud addressed the Kentucky Department of Education's three senses of urgency - to receive resources needed for schools to reach proficiency by 2014, to reignite the interest among Kentucky's education stakeholders to help schools reach proficiency, and to develop a proposed budget with reductions requested by the new governor. Commissioner Draud expressed his appreciation for the good service of the EPSB as well as his high regard for the executive director. Chairman Cibulka stated that the board looks forward to working with Commissioner Draud and collaborating closely with the Department of Education.

Report from the Council on Postsecondary Education (report given just prior to action items on the agenda)

Dr. Jim Applegate reported on CPE's 2008-2010 Biennial Budget Request detailed in the publication *Funding Our Future*, describing funding requested for developmental education, STEM initiatives, and information technology initiatives.

Legislative Update

Ms. Alicia Sneed notified the board that the Troops to Teacher amendment bill will be filed by January 25th. Additionally, she explained three EPSB bills of interest. SB 64 proposes to create grant funding for Option 7 programs. HB135 proposes to require civics and literacy training for all teachers. HB 235 proposes that in the event of sexual offenses, the age of consent would change from 16 to 18 and the penalty would increase from a Class A misdemeanor to a Class D felony. Resolutions are still waiting to be filed for board members Allan Paul, Bobbie Stoess, and Mary Hammons.

Local Educator Assignment Data (LEAD) Report

Mr. Carr reported on the Local Educator Assignment Data (LEAD) as positive and not much different from last year. The report showed only 20 people in STI whose schedules did not meet what they are teaching and 32 teachers with insufficient certification. He added that those numbers have continued to improve since sending the report to KDE. He clarified that data from Jefferson County were not included in the report because of the county's conversion to Infinite Campus. A second LEAD report will be conducted in January and February in preparation for the Highly Qualified Report by principals in March.

An Analysis of the Recommendations within the Education Leadership Redesign (ELR) Report

Dr. Kathy O'Neill reported on the eleven recommendations of the ELR report. They are as follows: 1) Incorporate all principal preparation programs and principal support services within dynamic and documented district-university partnerships. 2) Require that all principal preparation programs adopt highly selective admission standards. 3) Redesign the principal preparation curriculum on the competencies shown by research to be necessary for raising student achievement. 4) Redesign all principal preparation courses around structured school-based learning experiences. 5) Implement a redesigned principal induction program providing high quality mentoring and collegial support for new principals through a sequence of experiences and evaluations that are consistent with the school calendar. 6) Further conduct a study on principal working conditions, exploring resources, autonomy, and professional development. 7) Improve standards for the approval and accountability process for professional development required for the renewal of administrator certificates. 8) Develop an electronic tracking system to approve and document high quality professional development for all principals. 9) Establish an interdisciplinary Professional Development Academy to offer specialized professional development for principals in chronically low-performing schools. 10) Require that all new principals pass both state and national tests for administrative licensure within the five-year period preceding the beginning of a principalship. 11) Require that all new and existing doctoral programs in education administration be designed (or redesigned) in conjunction with the redesign of master's degrees for teacher rank change and principal preparation programs.

Dr. O'Neill emphasized that professional development should make people better leaders, not just allow them to renew a license. She recommended that preparation programs be approved by out-of-state panels and that internships be based on performance, not hours. She encouraged Kentucky to collect data to see where we are, to establish the ideal, and then to see what is needed to move Kentucky toward the ideal. She complimented the ELR work groups for finding the appropriate research to support their recommendations as well as the universities for stepping forward to work on university-district partnerships. She concluded by emphasizing the need to make working conditions such that leaders will want to stay in the profession.

Dr. Sam Evans asked for the SREB's assistance in finding resources to develop quality principal preparation programs.

To address the ELR report recommendations, EPSB regulation amendments for the principal preparation programs will be discussed at the EPSB retreat in February 2008.

Recognition of Out-Going EPSB member Ms. Kristin Gregory

Dr. Jim Cibulka recognized Ms. Kristin Gregory for her outstanding service as an EPSB member. Ms. Gregory served two consecutive board terms.

Ms. Gregory expressed her appreciation for the opportunity to give voice to teachers in Kentucky to ensure that every child has access to a wonderful education. She plans to continue her advocacy.

Report of the Chair

Appointment of Committee to Develop the Summer Retreat Agenda

Chairman Cibulka appointed Jennifer Forgy, Rebecca Goss, Lorraine Williams, and Frank Cheatham to join him on the committee to develop the summer retreat agenda.

Reappointments to the Reading Committee

Chairman Cibulka reappointed Dr. Verna Lowe, Mr. Patrick Brooks, and Ms. Norah Perry to the Reading Committee.

Appointments and Reappointments to the Continuous Assessment Review Committee (CARC)

Chairman Cibulka reappointed Ms. Norma Patrick, Ms. Jane Sykes, and Ms. Marilyn Hughes to CARC. Dr. Carol Garrison, Ms. Anita Barnes, Dr. Christine Price, and Dr. Tony Norman were appointed to the committee.

Committee Reports

There were no committee reports.

Information/Discussion Items

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

Ms. Cindy Owen discussed three proposed changes to 16 KAR 6:010. The amendments include making changes to reflect testing options for middle school English, mathematics, and social studies certification; correcting the change in a test name; and providing consistency in capitalization, spacing, and punctuation throughout the regulation. This item will be brought back during the March EPSB meeting for final action.

Report from the Educator Preparation Program Quality Measurement (EPPQM) Committee

Dr. Melissa Miracle reported on the EPPQM committee's nine recommendations. The recommendations are as follows:

- 1) Replace the Quality Performance Index with multiple accountability and constructive measures instead of one accountability index score.
- 2) Implement constructive measures including program completion rates, service area responsiveness, professional educator data system report data, accreditation status, program review data, and value-added methodologies.
- 3) Use constructive measures such as program completion rates, service area responsiveness, professional educator data system report data, accreditation status, program review data, and value-added methodologies.
- 4) Form subcommittees to develop and implement each of the accountability and constructive measures, with the EPPQM committee acting in an advisory capacity to the sub-committees.
- 5) Do not hold educator preparation units accountable for new measures for at least one year after implementation.
- 6) Develop documentation so that accountability/constructive measures can be used by EPSB staff and board members to reliably determine the quality of each institution's unit. The documentation should be developed during and/or immediately following the development/implementation phase of each measure.
- 7) EPSB staff should gather accountability/constructive measurement information and submit an annual quality review report to the board.
- 8) The decision concerning levels of quality should be based on review of all accountability/constructive measures for each educator preparation unit.
- 9) Unit quality should be defined as satisfactory performance, at risk of low performance, or low performance.

Following Dr. Miracle's presentation, Jim Applegate commented that since CPE uses the QPI, CPE needs to work with the task force on the creation of the new measure. Chairman Cibulka acknowledged the outstanding work of the committee. The committee will bring this item back in the spring for action.

National Board Data Report

Ms. Cindy Owen reported on the local and national results of the National Board Program. Kentucky ranks 8th in the number of new National Board Certified Teachers (NBCTs) and 12th in the total number of NBCTs across the United States.

EPSB Staff Retirement Plan

Deputy Executive Director Gary Freeland reported that approximately four EPSB employees may benefit by retiring in 2008. He assured the board that agency work will not be impacted as a result of these potential retirements.

Report on the Year-to-Date Financial Performance of the Agency's Programs and Operations through December 31, 2007

Mr. Freeland provided the EPSB's financial report through December 31, 2007. He explained that the EPSB's current year budget will not be reduced by 3% like those of

many other state agencies; however, the EPSB will not receive additional funding for the underfunded Kentucky Teacher Internship Program (KTIP). In order to properly fund the KTIP, the agency may need to use its operating funds and carry over Fiscal Year 2008 expenditures into Fiscal Year 2009. Mr. Freeland further informed the board that all state agencies have been asked to submit a budget request with a 12% reduction. A 12% reduction in funds for the EPSB would be devastating. Board members expressed their concerns about the impact of severe budget cuts on the KTIP program.

2008-001

Motion made by Ms. Zenaida Smith, seconded by Ms. Lorraine Williams, for the board to write a letter to Governor Beshear informing him of the importance of appropriate funding for KTIP and reiterating facts laid out in the KTIP letter sent to former Governor Fletcher.

Vote: *Unanimous*

Action Items

Approval of Contracts

2008-002

Motion made by Mr. Lonnie Anderson, seconded by Dr. Sam Evans, to authorize the executive director to issue an RFP and enter into all contracts awarded from the RFP.

Vote: *Unanimous*

Approval of Performance Learning Systems (PLS) to Provide Remedial Training in Disciplinary Cases

Ms. Alicia Sneed recognized Ms. Kathy Schmied of PLS. Ms. Schmied reported that PLS has reservations about the board's requirement for classroom management remedial training. Currently, the board requires 8-12 hours of professional development. PLS does not believe this is a sufficient amount of time to move a teacher from a remedial classroom management designation to an acceptable one. In an effort to give teachers more time to address their training, PLS plans to offer a free three-month on-line subscription.

2008-003

Motion made by Ms. Lorraine Williams, seconded by Ms. Zenaida Smith, to approve Performance Learning Systems, Inc. to provide remedial training in classroom management.

Vote: *Unanimous*

Continuing Accreditation of the Educator Preparation Unit and Approval of the Initial and Advanced Level Preparation Programs, Asbury College

2008-004

Issue One: Motion made by Dr. Sam Evans, seconded by Dr. Frank Cheatham, to accept the recommendation of the AAC and grant accreditation for Asbury College.

Vote: *Unanimous*

2008-005

Issue Two: *Motion made by Ms. Lorraine Williams, seconded by Ms. Jennifer Forgy, to accept the recommendation of the AAC and grant approval for the initial and advanced level educator preparation programs at Asbury College.*

Vote: *Unanimous*

Continuing Accreditation of the Educator Preparation Unit and Approval of the Initial Level Preparation Programs, Transylvania University

2008-006

Issue One: *Motion made by Dr. Cheatham, seconded by Ms. Forgy, to accept the recommendation of the AAC and grant accreditation for Transylvania University.*

Vote: *Unanimous*

2008-007

Issue Two: *Motion made by Ms. Forgy, seconded by Ms. Williams, to accept the recommendation of the AAC and grant approval for the initial level educator preparation programs at Transylvania University.*

Vote: *Unanimous*

Approval of Educator Preparation Program Addition: 8.0 Environmental Education Endorsement, Grades P-12 (Graduate Level), Western Kentucky University

2008-008

Motion made by Ms. Williams, seconded by Mr. Lonnie Anderson, to approve the proposed educator preparation addition for Western Kentucky University.

Vote: *Yes-13*

Recuse- 1 (Sam Evans)

Approval of Educator Preparation Program Addition: 10.0 Instructional Leadership, School Superintendent, Northern Kentucky University

2008-009

Motion made by Dr. Sam Evans, seconded by Ms. Rebecca Goss, to approve the proposed educator preparation program addition.

Vote: *Unanimous*

Waivers

16 KAR 7:020. Request to Waive the Requirement for Two-Years of Successful Experience as a Certified Principal for Exemption from the Kentucky Principal Internship Program, Ms. Janie Anthony

2008-010

Motion made by Mr. Anderson, seconded by Ms. Zenaida Smith, to deny the waiver request for Ms. Janie Anthony.

Vote: *Unanimous*

16 KAR 6:010. Request to Waive the Kentucky Assessment Requirements for Middle School and Secondary Social Studies Certification, Mr. Anthony Garcia

2008-011

Motion made by Ms. Cynthia York, seconded by Dr. Evans, to approve the waiver request for Mr. Anthony Garcia.

Vote: *Unanimous*

16 KAR 5:040. Request to Waive the Cooperating Teacher Eligibility Requirements, Dr. James Cibulka on behalf of Ms. Christi Elkins-Gabbard

2008-012

Motion made by Dr. Frank Cheatham, seconded by Ms. York, to approve the waiver request for Dr. Cibulka on behalf of Ms. Christi Elkins-Gabbard.

Vote: *Yes-13*
Recuse-1 (James Cibulka)

Board Comments

The board had no further comments.

DISCIPLINARY MATTERS: MINUTES OF CASE REVIEW January 14, 2008

Motion made by Dr. Frank Cheatham, seconded by Mr. Tom Stull, to go into closed session for the purpose of discussing proposed or pending litigation in accordance with KRS 61.810(1)(c)&(j) and a personnel matter in accordance with KRS 61.810(1)(f).

Vote: *Unanimous*

Motion made by Mr. Lonnie Anderson, seconded by Dr. Cheatham, to return to open session.

Vote: *Unanimous*

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

Tom Stull, Zenaida Smith, Allan Paul, Sam Evans, Mary Hammons, Jennifer Forgy, James Cibulka, Frank Cheatham, Bobbie Stoess, Cynthia York, and Lonnie Anderson.

Attorneys present were Alicia A. Sneed and Diane Fleming.

Motion made by Dr. Sam Evans, seconded by Ms. Zenaida Smith, to accept the job targets submitted by Dr. Rogers as part of his plan of action as Executive Director of the EPSB.

Vote: *Unanimous*

Motion made by Mr. Anderson, seconded by Mr. Stull, to accept the agreed order as presented regarding the accreditation appeal filed by Midway College School of Career Development.

Vote: *Unanimous (Dr. Cibulka, abstained)*

INITIAL CASE REVIEW

<u>Case Number</u>	<u>Decision</u>
07-10180	Dismiss
07-09170	Admonish
07-101723	Defer for proof
07-09167	Defer for proof
07-09168	Hear
07-09175	Admonish
07-10182	Admonish
07-112407	Admonish
07-10179	Hear
07-09176	Dismiss
07-08153	Hear
07-101763	Admonish
07-10178	Hear
07-09169	Hear
07-101846	Defer
07-101626	Hear
07-111903	Admonish
07-09174	Hear
07-10181	Hear
07-101764	Hear
07-09157	Hear

07-08147	Hear
07-101824	Hear
07-09177	Hear
07-101601	Hear
07-09162	Hear
07-10183	Dismiss
07-09171	Admonish
07-09166	Admonish
07-09163	Hear
06-07190	Dismiss

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
05-028	Approve
072161	Approve
072285	Approve
072288	Approve
072488	Approve
072604	Approve
072603	Approve (<i>Dr. Evans, recused</i>)
072683	Approve
07-146	Approve
072783	Defer
072384	Approve
072826	Approve
072825	Approve (<i>Ms. Forgy, recused</i>)
072883	Approve
080007	Approve
080024	Approve
072583	Approve
072645	Deny
080046	Approve
080044	Approve
080045	Approve

Agreed Orders

<u>Case Number</u>	<u>Decision</u>
07-0473 (Linda Smith)	Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. The Board reminds Respondent that she has a duty to take reasonable

measures to protect the health, safety, and emotional well-being of students. An educator should not punish student misconduct in ways that cause physical pain and humiliation. 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 she has received twelve (12) hours of professional development/training in classroom management as approved by the Board, no later than August 1, 2008. Any expense incurred for said training shall be paid by Respondent.

Should Respondent fail to satisfy this condition, her certificate shall be suspended and shall remain so until the condition is met.

Vote: *Unanimous*

06-11278(Michael Steinmann)Accept Agreed Order dismissing Case Number 06-11278 without prejudice conditioned upon the following:

On or before January 1, 2008, Respondent shall provide written proof from a licensed and Board approved alcohol/substance abuse counseling program that he has been assessed and complied with all recommended treatment. Any expense for said assessment and treatment shall be paid by Respondent. Failure to comply with this requirement by January 1, 2008 will result in an automatic suspension of Respondent's teaching certificate and it will remain suspended until he completes the training requirements contained in this Agreed Order.

Vote: *Unanimous*

06-11267 (Bruce Raley)

Accept Agreed Order 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. 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 anger

management as approved by the Board, no later than August 1, 2008. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition, this Agreed Order shall be deemed null and void and the Board may decide to send the matter for trial.

Vote: *Unanimous*

07-0477 (George Katzman) Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. As an experienced educator, Respondent should know the difference between personal leave and sick leave. Sick leave is not intended to be used as extra vacation time. The Board will not tolerate any further incidents of misconduct from Respondent.

Vote: *Unanimous*

05-0363 (Jennifer Kays) Accept Agreed Order admonishing Respondent for her actions that resulted in a DUI conviction. Those actions violate the Professional Code of Ethics for teachers and any further misconduct of this nature will not be tolerated. Further, Respondent has successfully completed her alcohol treatment and evidence of same has been submitted in support of this Agreed Order.

Vote: *Unanimous*

07-0355 (Ann Greenfield) Accept Agreed Order suspending Respondent's certificate for a period of two years beginning June 4, 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. Reinstatement of Respondent's certificate is conditioned upon the following.

1. Respondent shall comply with any and all conditions set forth in the Plea Agreement in cases 07-F-006 and 07-M-00533 entered June 5, 2007 by the Calloway District Court.
2. Prior to reinstatement, Respondent shall provide the Board with copies of any and all reports submitted to the Court in compliance with

subsections (d) and (e) of the June 5, 2007 Plea Agreement.

Should Respondent violate either of these conditions and/or should the reports submitted in compliance with condition two enumerated above indicate that she has either failed to comply with drug counseling and/or tested positive for any illegal substances or byproducts of illegal substances, her certificate shall not be reinstated.

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 years. 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 period of two years and subject to additional sanction by the Board pursuant to KRS 161.120.
2. Respondent shall not be convicted of any crime involving the use of any controlled substance and/or alcohol. 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.

Vote: *Unanimous*

06-0490 (LaSandra Dulin) Accept Agreed Order admonishing Respondent for attempting to strike a student. The Board reminds Respondent that she has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students. An educator should only touch students when it is necessary to protect oneself or others, or to provide assistance to a student. The Board will not tolerate any further incidents of misconduct from Respondent. Respondent has retired from the teaching profession. In the event that Respondent decides to re-enter the teaching profession, she must provide written proof to the Board that she has received twelve (12) hours of professional development/training in anger management as

approved by the Board, prior to accepting any position which requires certification. If the Board discovers that Respondent has accepted a position without fulfilling this requirement, her certificate shall be suspended until the requirement has been fulfilled. Any expense incurred for said training shall be paid by Respondent.

Vote: *Unanimous*

07-0103 (Wendy Sommer) Accept Agreed Order suspending Respondent's certificate for a period of two (2) years, retroactively to April 13, 2007. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original certificate and all copies of her certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601. In addition to any educational requirements, reinstatement of Respondent's certificate at the conclusion of the two (2) year suspension period is expressly conditioned upon Respondent providing written evidence that she has complied with the following: Respondent must provide written proof that she has successfully completed the drug court diversion program she entered in Paducah Circuit Court Case No. 07-CR-00076, and has followed through with all court orders related to the case. Following the two (2) year suspension period, Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of two (2) years.

1. By August 1, 2008, Respondent shall undergo a comprehensive substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor as approved by the Board and shall present written evidence to the Board that she has complied with the assessment process and has successfully completed any and all treatment recommendations. If Respondent is not able to complete all treatment recommendations by August 1, 2008, she shall submit quarterly written progress reports from her chemical dependency counselor until such time as the counselor releases her from treatments. If Respondent has not successfully

completed all treatment recommendations by the end of the two (2) year probationary period, she agrees that the probationary period shall be extended and she shall submit quarterly written progress reports from the chemical dependency counselor to the Board until such time as the counselor releases her 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.

By entering into this Agreed Order, Respondent agrees that should she fail to satisfy any of these conditions, her certificate shall be automatically suspended for a period of six (6) months. If applicable, at the conclusion of the six (6) month suspension, her certificate shall remain suspended until such time as all of the above conditions are met. Respondent is aware that should she violate KRS 161.120 either during or following this two year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

06-07189 (Leslie Trimble)

Accept Agreed Order which reminds Respondent that he has a duty to maintain the dignity and the integrity of the profession. For future reference, the Board reiterates that making threats or statements that could be perceived as threats, is inappropriate and may be considered a criminal act. Any dispute over a school official's decision should be appealed through the appropriate channels. 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 completed training in anger management from a licensed provider, as approved by the Board, no later than December 31, 2007. 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*

06-07188 (Shana Trimble) Accept Agreed Order which reminds Respondent that she has a duty to maintain the dignity and the integrity of the profession. Any dispute over a school official's decision should be appealed through the appropriate channels. 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 she has completed training in anger management from a licensed provider, as approved by the Board, no later than December 31, 2007. Any expense incurred for said training shall be paid by Respondent.

Respondent agrees that should she 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*

06-09240 (William Carney) Accept Agreed Order revoking Respondent's certificate. 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.

Respondent shall neither apply nor be issued a teaching certificate in the Commonwealth of Kentucky for a period of five years beginning September 8, 2006. At the conclusion of the five year revocation period, issuance of any certificate to Respondent or on his behalf is expressly conditioned upon Respondent providing, in addition to proof of any academic requirements, written evidence to the Board that he has successfully completed twelve (12) hours of professional development/training, approved by the Board, in the areas of appropriate teacher/student boundaries,

sexual harassment and ethics. Any expense for this training shall be paid by Respondent. Should Respondent fail to satisfy this condition, the Board shall deny any application for certification.

Vote: *Unanimous*

07-06105 (David Abbott)

Accept Agreed Order suspending Respondent's certificate for a period of nine days beginning April 5, 2008. 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. This agreement is expressly conditioned upon Respondent providing written evidence to the Board, on or before August 1, 2008, that he has successfully completed twelve hours of professional development/training, approved by the Board, in the areas of appropriate teacher/student interactions and ethics. Any expense for this training shall be paid by Respondent. Respondent agrees that should he fail to satisfy this condition, his certificate shall be automatically suspended until this condition is met. Finally, the Board admonishes Respondent for using poor judgment in his interactions with a female student. As an educator, it is Respondent's responsibility to avoid any appearance of impropriety by ensuring that his actions toward students are professional and appropriate at all times. He must not only heed the warnings of his superiors, but take it upon himself to continually strive to uphold the dignity and integrity of his profession no matter the circumstances.

Vote: *Unanimous*

07-05102 (Clay Kingsley)

Accept Agreed Order suspending Respondent's certificate for a period of one year beginning June 1, 2007. 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. Reinstatement of Respondent's certificate is expressly conditioned upon Respondent providing

written evidence to the Board that he has completed 25 hours of community service, approved by the Board. Should Respondent fail to satisfy this condition, his certificate shall remain suspended until this condition is met.

Vote: *Unanimous*

06-05131 (Karen Waters)

Accept Agreed Order revoking Respondent's certificate for a period of three (3) years from the date of acceptance of this Order by the Board. During the three (3) year revocation 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 three (3) 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. With her application for 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. With her application for 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 three (3) year period.

Vote: *Unanimous*

06-07184 (Kathryn Williams) Accept Agreed Order admonishing Respondent for her failure to notify law enforcement and the parents of a student who was a potential victim of sexual abuse. The Board trusts the members of its profession to exhibit due diligence and exercise extraordinary care of the students entrusted to their supervision. This neglect of duty endangered not only the well-being of the student in question but failed to effectively deter future incidents. Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of two (2) years from the date of acceptance of this Order by the Board.

1. Respondent shall complete twelve (12) hours of ethics training prior to July 31, 2008. Any expense for required training shall be born by the Respondent.

2. Respondent shall complete a four (4) hour course in recognition of, and response to, sexual offenses prior to July 31, 2008. Any expense for required training shall be born by the Respondent.

3. Respondent shall receive no further disciplinary action by any school district in the United States including, but not limited to, admonishment, reprimand, suspension or termination.

By entering into this Agreed Order, Respondent agrees that should she fail to satisfy any of these conditions, her certificate shall be automatically suspended for a period of one (1) year. If applicable, at the conclusion of the one year suspension, Respondent's certificate shall remain suspended until such time as conditions 1 and 2 are met. Respondent is aware that should she violate KRS 161.120, either during or following this two (2) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

05-11207 and 06-11263 (Thomas Byrd) Accept Agreed Order suspending Respondent's certificate for a period of thirty (30) days beginning February 1, 2007 to March 1, 2007. Further, Respondent must complete twelve (12) hours of professional development in the area of

proper boundaries between teacher and student by June 30, 2008. Failure to comply with this training requirement will result in a suspension of Respondent's certificate until this requirement has been met.

Vote: *Unanimous*

06-05112 (Danny Barnett) Accept Agreed Order dismissing Case Number 06-05112 without prejudice, conditioned upon the following:

On or before January 1, 2008, Respondent shall provide written proof from his treating physician that he is physically and psychologically fit to return to the classroom. Respondent has successfully met this condition and, therefore, Case Number 06-05112 shall be dismissed without prejudice.

Vote: *Unanimous*

06-05119 (Jon Farley) Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. The Board reminds Respondent that as principal, he is expected to be familiar with and to follow the relevant laws and regulations regarding SBDM council. The Board will not tolerate any further incidents of misconduct from Respondent.

This agreement is expressly conditioned upon Respondent providing written evidence to the Board that he has satisfied the following condition:

Respondent must provide written proof to the Board that he has completed a Board approved training course in School Based Decision Making, no later than August 1, 2008. Any expense for this professional development/training shall be paid by Respondent. By entering into this Agreed Order, Respondent agrees that should he fail to satisfy any of these conditions, his certificate shall be automatically suspended until such time as all of the above conditions are met.

Vote: *Unanimous*

06-0487 (Pamela Ashley) 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 making threats, or statements that could be perceived as threats, is not an appropriate way to manage the classroom environment. This settlement agreement is expressly conditioned upon Respondent providing written proof to the Board that she has received professional development/training in appropriate classroom management/discipline, as approved by the Board, no later than December 31, 2007. Any expense incurred for said training shall be paid by Respondent. Simultaneous with submission of this order to the Board for approval, Respondent is required to provide written verification from her physician that she is medically fit to continue in her position as a classroom teacher. 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*

Findings of Fact, Conclusions of Law and Recommended Orders

Consideration of the following matter took place with attorney Alicia A. Sneed out of the room.

Case Number

Decision

05-09178 (Clifford Jackson)	Adopt the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Order of Default and issue an order revoking Respondent's certificate for a period of five (5) years.
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Vote: *Unanimous*

Motion made by Dr. Evans, seconded by Ms. York, to adjourn the meeting.

Vote: *Unanimous*

Meeting adjourned at 4:15 p.m.

Next Meeting: March 17, 2008

9:00 AM
EPSB Board Room
Frankfort, Kentucky