

*The actions delineated below were taken in open session of the EPSB at the November 17, 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  
November 17, 2008**

**Call to Order**

Chair Lorraine Williams convened the November 17, 2008 meeting at 9:10 a.m. (EDT).

**Swearing-In and Introduction of New Board Members**

Notary Public Ashley Abshire swore in new board members Laranna “Lynn” May and James Hughley.

Ms. May introduced herself to the board. A mother of 5, she works as a secondary science teacher in Carter County. She expressed her love for the profession and honor for the opportunity to serve on the board.

Mr. Hughley introduced himself to the board. With a former career in military, he made a career change to be able to teach children. He recently moved from a middle school to high school setting. Dr. Rogers added that Mr. Hughley is the first EPSB board member to go through an alternative route program.

Chair Lorraine introduced and welcomed the EPSB’s new board attorney, Ms. Angela Evans. Ms. Evans stated that she is pleased to be able to work with the board.

**Roll Call**

The following members were present: Lonnie Anderson, Frank Cheatham, Michael Dailey, John DeAtley, Sam Evans, Cathy Gunn, Mary Hammons, James Hughley, Lynn May, Greg Ross, Sandy Sinclair-Curry, Zenaida Smith, Bobbie Stoess, Tom Stull, Lorraine Williams, and Cynthia York. Rebecca Goss was absent.

**Approval of September 22, 2008 EPSB Meeting Minutes**

*Motion made by Dr. Frank Cheatham, seconded by Ms. Zenaida Smith, to approve the minutes of the September 22, 2008 EPSB board meeting.*

**Vote:** *Unanimous*

**Amendment of November 17, 2008 EPSB Agenda**

*Motion made by Ms. Cynthia York, seconded by Mr. Lonnie Anderson, to amend the November 17, 2008 board agenda to add Action Item, Waiver D. 16 KAR 7:010. Request to Waive Language Pertaining to the Submission of the Cycle III Report by May 1, Franklin Independent and Action Item, Waiver E. 16 KAR 7:010. Request to Waive*

*Language Pertaining to the Submission of the Cycle III Report by May 1, Fayette County Public Schools.*

**Vote:** *Unanimous*

### **Open Speak**

Ms. Jamie England addressed the board regarding action item, waiver B on the agenda pertaining to requirements for Rank II. She asked the board to consider certification for adult education.

### **Report of the Executive Director**

Dr. Rogers noted that every position on the board is currently filled; however, Ms. Becky Goss notified him that she must resign at the end of the year since she is appointed to the EPSB as a school board member and she chose not to run for re-election this past November. The Governor's office has been notified.

Dr. Marilyn Troupe introduced Mr. Anthony Campbell, educator preparation's new administrative program consultant. With former experience as an adjunct professor and technical writer, Mr. Campbell brings an array of skills to the EPSB. His educational background includes a Bachelor of Science in English Education, Master of Art in English, and Master of Science in Information Technology with further doctoral work in English.

### Report from the Kentucky Department of Education

Mr. Michael Dailey reported that Commissioner Draud is still recovering from a minor stroke but is eager to begin working full-time within the next month. The state Future Educators Association conference was held on November 12 & 13<sup>th</sup> in Louisville. Approximately 1200 students were in attendance. Dr. Draud was able to attend and in his conversation with them accentuated the importance of recruiting high quality and highly qualified educators. Additionally, he reported that the Assessment and Accountability Task Force continues to move forward with its work.

### Report from the Council on Postsecondary Education

Mr. John DeAtley reported that CPE continues searching for a new president and anticipates naming someone by the end of the year. He further reported that on January 15, 2009, the Governor's Higher Education Work Group will be issuing its first report, suggesting ideas to reduce college costs. The work group anticipates developing a report by September for the 2010 legislative session. Additionally, Mr. DeAtley reported that staff plan to recommend to CPE at the January 2009 meeting to move the effective date of the developmental education regulation from fall 2009 to fall 2010 due to current financial situations that will impact campuses with the new changes.

### **Report of the Chair**

### Appointment to the Kentucky Advisory Council on Internships (KACI)

Chair Lorraine Williams appointed Dr. Steven Fardo to the Kentucky Advisory Council on Internships.

## **Committee Reports**

### **KTIP Task Force**

Mr. Robert Brown reported that the KTIP Task Force met in late October. The task force has discussed changes to the responsibilities of resource teachers (RTs). The task force has considered the principal serving as the sole evaluator, currently the role of the RTs, and removing teacher educators (TEs) from most of the KTIP committees. Since there are few principals trained in career and technical education and interdisciplinary early childhood education, the task force discussed keeping TEs on those KTIP committees.

The committee also discussed the required hours on the KTIP committee and professional learning committees (PLCs). 40 hours could be in a PLC; 10 hours could be individualized for observations, post-observations, and the development of the professional growth plan (PGP). RT work collaboratively with the intern through the PGP to identify the use of the 20 hours in-class time. In addition to the observations with the resource teacher, the intern may use several hours observing master teachers who demonstrate skills identified in the PGP.

Change the out-of-state language for those required to enter KTIP from “less than 2 years of experience to “less than 1 year of experience, provide for a system of train-the-trainers allowing for more district involvement in KTIP training. Focus on PLC.

Dr. Sam Evans stated that he thinks that a PLC is a good idea; however, he has concerns that a TE which is primarily a university person will play differently if school based person, concerned university is on downward slope in terms of KTIP and if talk about partnership, university has to be part of partnership. He encourage task force to look at all aspects of KTIP and not let money be a determining factor for changes. Mr. Greg Ross stated that he did not think the principal is the best decision for the evaluator. James-struggling intern identified very early on. Qualifications of TE being looked at? John- in future, what breakdown looks like now of teachers. Wanted focus on intern and students. Dr. Frank Cheatham stated that it is important to keep universities as involved in KTIP as possible. December 4<sup>th</sup> is the next task force meeting. Mr. Brown plans to take back the board suggestions at that time.

### Evaluation of the Executive Director

Distributed evaluation documents to board. Request from outside counsel, attorney general changes how does business, appeal at AG’s office on evaluations (not subject to closed meeting) only discussions that might end up in reprimand or penalty of some sort. Deviated slightly in what approved in date it was sent out. Everything else is what is consistent with what was sent forth as a board. Received 9 evaluations from board and 17 back from staff. 35 staff members, approximately half responded for staff and board. Form is consistent with what other agencies use to evaluate executive director. 5 categories for each of the indicators. 2 areas asked phil to work on at last evaluation period. In terms of crafting evaluation document, decide if any standards to set for upcoming period that he should be working on. Take info, but in written format and determine if there are any targets for him to work on. Appropriate since first time to look at info, he has opportunity to respond and the board to determine are there any targets for him to work on, bring in jan and craft eval then. Last years document and this years

evaluation feedback to determine, phil- suggest that in closed session talk about targets they have for him and discuss today? System more systematic, clearer, he has no concerns, doesn't think eval should take place over 6 month period. Can come back this afternoon and discuss but must be in open meeting. During lunch, look over and discuss it. Bring recommendations, eval committee summarize discussion this afternoon. Maybe eval document can come out earlier for board to look at.

Noted that overwhelming agreement and strongly agree in all areas for Dr. Rogers based on survey results. Very positive and lot of agreement. Note that items asked to bring back he did, reflected in overall summary. Next year include targets as an attachment to evaluation. Goals have been met. Affirmation of support needs to be reflected

Motion made by Mr. Greg Ross, seconded by Ms. Bobbie Stoess, to give a satisfactory evaluation for Dr. Rogers for the 2008 evaluation year

Vote: Unanimous, communication is so important, what would he like to focus on professionally, meeting w/ sally suggests tomorrow. Meeting w/ big wigs tomorrow. Update memo is important, like stakeholders do a customer service survey for us this year, successful evaluation, say it's Dr. Roger's idea Motion made by Mr. Lonnie Anderson, seconded by Mr. DeAtley, to accept Dr. Roger's deferment request of a 1% raise for FY 2009. too bad of situation to do that. Dr. Evans will follow-up with Mr. Freeland.

### **Information/Discussion Items**

#### 16 KAR 5:010. Standards for Accreditation of Educator Preparation Units and Approval of Programs, Notice of Intent

Issue that came about as result of budget cuts. Brought to board's retreat in the summer. Did survey during ncate partnership. Shared results of that data that show epsb is only state that pays for everything for the state side of the visit. Number of states pay for part and some pay for nothing. Info shared with institutions and did during retreat this summer. Change in section 16 of 16 KAR 5:010. part 2 states.

#### Union College: Report of Accreditation Issues

Called Dr. Lou Ann Hopper and Ms. Tam Lee Watson to the table. May 19<sup>th</sup> of this year, union came before board for accreditation with probation because of number of standards not meet and areas needed for improvement under the standards. Board put in stipulation that included union college report back in 6 months on progress made towards improvement. Dr. Hopper reported that...thanked everyone for helping union be stronger and look at programs and see how they can better prepare their students. Done a lot of work because have many faculty members working evenings, having retreats, weekends, to collaborate without too many interruptions. Hired outside consultant from outside college which has been instrumental. Some major areas looked at to answer better is that in assessment are now reviewing and aggregating data and sharing in meetings to use to make change. In process of updating cap. Faculty concentrating on. Professional growth through portfolios, evaluations by students, tied to activities they do throughout the year. Attend state level organizational level meetings, one collaboration with p-12. collaboration- had committees on assessment teams, round table to invite those from district in to get feedback on what can do better in preparing students. Classroom

projects going on. Take real serious, given grant to do research on how union impacts p-12 learning. Sam- encourage to be mindful because see misalignments, be sure to read every part of every statement made by review team. #2, reliability, fairness, and accuracy, don't address the other 2. omission related to validity. Faculty- major issue, see potential progress and don't. scaling back on dependence of adjuncts. Come back in 6 months with another report. Continue diligent to improving teaching and learning at college.

#### Awarded Contracts

Deputy Executive Director Gary Freeland reported on amendments to contracts. A total of \$49,500 has been awarded to universities for the KTIP program to provide additional separate funding to support the teacher educators for Career and Technical Education interns only. Also, amendments totaling \$31,404.78 were made to two university contracts for the KTIP program to provide additional funds to cover FY 2008 KTIP expenditures. Amendments totaling \$19,050.00 were made to two school district contracts for National Board mentoring services. An RFP was issued recently for development services and coaching to support the Kyeducators.org website. The RFP was closed without awarding a contract because after careful consideration, leadership decided that development work or technology enhancements would not be needed for this website in the near future.

#### **Action Items**

##### Approval of Contracts

*Motion made by Mr. John DeAtley, seconded by Ms. Zenaida Smith, to authorize the executive director to enter into all of the contracts awarded from the National Board Request for Application.*

**Vote:** *Unanimous*

##### Math Task Force Recommendations

Made additions to task force membership, Melanie Curlin, Linda Klembara, Leslie Robertson, and Brenda Scruggs. Bring implementation plan in January on how to bring this to institutions per the board's request. Rec. 5- what will the role of the board be, something work with between institutions and districts to come up with plan and part of implementation. Board's responsibility would be staff to work collaboratively, think about this and have conversations with universities and superintendents for them to flesh out for us. Do in a manner that task force had in mind. When look at members of task force group, 1<sup>st</sup> recommendation is for elementary teachers, those good at math will go after endorsement but those that don't won't go for it so are we doing anything good by having other than charging teachers for something. Helps hiring process. Math have same emphasis like reading and literacy to improve that area. Anything done to encourage people to get endorsement? Number of avenues that will support this initiative.

*Motion made by Dr. Sam Evans, seconded by Ms. Smith, to approve the Mathematics Task Force recommendations for elementary education teachers.*

**Vote:** *Unanimous*

Boyce College: Letter of Intent to be Recognized as a Kentucky Educator Preparation Institution to Offer Elementary and Music Education Programs

Dr. Alvin Hickey, Dr. David Adams. Call attention to mission and vision, do not primarily intend to guide students to other states, emerging growth of private schools in nation. Need certified and qualified teachers. Want to go through ktip. Well aware of requirements of interns and evaluation they go through. Wants to reach those levels of quality. Guided to southern Baptist schools. Largest protestant denomination with 43,000 churches, 15 million members, 5,000 missionaries. Concern is that they have qualified teachers. Sam-indicate mission and quality, how is institution planning to make sure graduates are ktip prepared because with mission may not have opportunity to go through ktip. If go through other states, want to create a student in whatever process that is of the same equality that students of other colleges go through, valiant mission and possesses a lot of ability however the fact is there are too many unemployed elementary teachers, based on religious perspective and as grow older it changes, type of student draws does not fill the mold he describes. Conflicts in science based on content based on religious grounding? Would not exclude physical and biological sciences, not presented as fact. Christian school has heavy emphasis on music. Elementary- basis of education in all Christian schools.

*Motion made by Mr. DeAtley, seconded by Mr. Tom Stull, to grant Boyce College's request to pursue accreditation as a Kentucky institution and offer Elementary and Music Education Programs.*

**Vote:** *Unanimous*

2009 Legislative Agenda

*Motion made by Mr. Stull, seconded by Ms. Smith, to approve the proposed 2009 Legislative Agenda as follows: amend sections of KRS 161.030 pertaining to the Kentucky Teacher Internship Program to allow the Education Professional Standards Board to modify the requirements of the program to reflect current research and the best practices of the profession, oppose any attempt to dilute or modify the current authority of the EPSB, and support any legislation which further supports the EPSB's mission and goals.*

**Vote:** *Unanimous*

16 KAR 6:010. Written Examination Prerequisites for Teacher Certification, Amendment, Final Action

**Issue 1:** *Motion made by Dr. Cathy Gunn, seconded by Ms. Cynthia York, to amend 16 KAR 6:010 to reflect the current name of the School Psychologist (0401) test required for school psychologist certifications and to provide consistency in capitalization, spacing, and punctuation throughout.*

**Vote:** *Unanimous*

**Issue 2:** Dr. Evans explained concern, made motion to amend motion to exclude C until, test is updated and at that time reconsider. Not aware of any discrepancy, not brought to staff's attention. If wrong answers, ETS would be liable and that would be ETS issue

that they will be dealt with internally. Can't imagine they would let something like that go and standard setting study is legal requirement when do test and insulate from further litigation on their part.

*Motion made by Mr. Gregory Ross, seconded by Ms. Bobbie Stoess, to amend 16 KAR 6:010 to change the cut scores of three existing tests and establish requirements for two additional tests, i.e. IECE (0023) and Gifted Education (0357).*

**Vote:** Yes – 14

*No- 2 (Dr. Evans, Ms. Mary Hammons)*

**Issue 3:** *Motion made by Mr. DeAtley, seconded by Dr. Gunn, to amend 16 KAR 6:010 to reflect the rescaled test code and score for the Praxis II tests Family and Consumer Sciences (0121) – 162 and School Psychologist (0401)-161.*

**Vote:** *Unanimous*

Authorization that any proposed regulation amendment or new regulation that you authorize Alicia Sneed to make as may be required by LRC to keep any necessary non-substantive changes in line with grammar law. Motion made by Mr. Dailey, seconded by Mr. Lonnie Anderson

## **Waivers**

16 KAR 7:010. Request to Waive Language Pertaining to the Submission of the Cycle III Report by May 1

*Motion made by Mr. Michael Daily, seconded by Mr. Anderson, to waive language in 16 KAR 7:010 to allow EPSB staff to work with districts that need an extension to the Cycle III deadline.*

**Vote:** *Unanimous*

16 KAR 6:010. Request to Waive Middle School (5-9) English and Communications and Secondary English Certification Assessment Requirements

*Motion made by Ms. Smith, seconded by Dr. Gunn, to accept the Illinois Certification Testing System (ICTS) tests 103 Assessment Professional Teaching (APT): 6-12 and 111 English Language Arts in lieu of the Praxis II tests:*

\*Principles of Learning and Teaching: Grades 5-9 (0523) *and/or*

\*Principles of Learning and Teaching (PLT): Grades 7-12 (0524)

\*English Language, Literature, and Composition: Content Knowledge (0041) *but not in lieu of the Praxis II tests:*

\*Middle School English Language Arts (0049)

\*English Language, Literature, & Composition: Essays (0042).

**Vote:** *Unanimous*

16 KAR 8:020. Requirements for Rank II, Ms. Jamie England

*Motion made by Mr. DeAtley, seconded by Ms. Smith, to deny the waiver request for Ms. Jamie England.*

**Vote:** Yes-15

*Recuse-1 (Dr. Evans)*

16 KAR 5:040. Waiver of the Cooperating Teacher Eligibility Requirements

*Motion made by Mr. Tom Stull, seconded by Ms. Zenaida Smith, to waive requirements for cooperating teachers who do not meet 16 KAR 5:040, Section 2 (d) until such a time as the board can amend the regulation.*

**Vote:** Unanimous

**Board Comments**

**DISCIPLINARY MATTERS:  
MINUTES OF CASE REVIEW  
November 18, 2008**

*Motion made by Mr. John DeAttley, seconded by Ms. Cynthia York, 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. Sam Evans, seconded by Ms. Bobbie Stoess, to return to open session.*

**Vote:** Unanimous

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

Tom Stull, Sam Evans, Greg Ross, Lorraine Williams, Cathy Gunn, Cynthia York, Lonnie Anderson, John DeAttley, Mary Hammons, Sandra Sinclair-Curry, James Hughley, and Michael Dailey.

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

Vote: Unanimous

**INITIAL CASE REVIEW**

**Case Number**

**Decision**

0805822

Defer

0805852

Admonish



0808978	Admonish
0808962	Hear
0808994	Hear
08091024	Hear
08091002	Admonish
0808969	Admonish
0808973	Hear
08010254	Admonish
0808958	Hear
08091026	Hear
07122663	Hear
08091016	Hear
0808964	Hear
0808998	Admonish
0808990	Hear
08091008	Defer
0808980	Hear
0808967	Hear
0808975	Defer for proof
08091040	Hear
08010088	Dismiss
07-0464	Dismiss
0805821	Dismiss
08020637	Hear
0805824	Dismiss
07112315	Dismiss
0805856	Dismiss

**Character/Fitness Review**

<u>Case Number</u>	<u>Decision</u>
081293	Approve
081299	Approve
081300	Approve
081295	Approve
081253	Approve
081306	Approve
081305	Approve
081269	Approve
081314	Approve
081308	Approve
081326	Approve
081347	Approve
081353	Approve

081290	Approve
081360	Approve
081357	Approve
081289	Approve
081365	Approve
081366	Approve
081369	Approve

**Agreed Orders**

Case Number

Decision

07111525 (Perry Haeberlein) Accept Agreed Order admonishing Respondent for making inappropriate sexual and drug-related references to students. The Board reminds Respondent that as a teacher in the Commonwealth of Kentucky, he has a duty to maintain the dignity and integrity of the profession and shall not engage in any sexual related behavior with students, including making sexual jokes and sexual remarks. The Board will not tolerate any further incidents of misconduct from Respondent. This settlement agreement is expressly conditioned upon the following:

1. Respondent shall complete a professional development/training in the area of ethics.
2. Respondent shall complete a sexual harassment awareness training course. All training must be approved by the Board. Respondent must provide written proof to the Board that he has completed the training by September 1, 2009. Any expense incurred for said training shall be paid by Respondent. Respondent agrees that should he fail to satisfy the above condition, his certificate shall be automatically suspended until he provides written proof to the Board that he has completed the conditions.

**Vote:** *Unanimous*

04-12142 (Donna Slaughter) Accept Agreed Order admonishing Respondent as follows: Teachers are charged with protecting the health, welfare and safety of their students which includes reporting any cases of suspected abuse. It also includes maintaining consistent supervision of students through the school day. A failure to report

suspected abuse of a student and leaving a student without adult supervision are violations of these duties. The Board will not tolerate misconduct of this nature by Respondent.

**Vote:** *Unanimous*

06-07198 (SamanthaRagland)Accept Agreed Order suspending Respondent's Emergency Substitute Certificate for a period of ten (10) days from the date of acceptance of this Order by the Board. During the ten (10) day 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 ten (10) day period, is expressly conditioned upon Respondent providing written evidence to the Board that she has completed twelve (12) hours of ethics training. Any expense for required training shall be born by the Respondent. Failure to meet this condition will result in Respondent being denied re-issuance of a Kentucky teaching certificate at the conclusion of the ten (10) day period. Upon reinstatement, Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of two (2) years from the date of issuance:

1. Respondent shall 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 during the probationary period, her certificate shall be automatically suspended for an additional 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 the probationary conditions are met. Respondent is aware that should she violate KRS 161.120, either during or following this two (2) year period of

probation, the Board shall initiate new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

06-06179 (Larry Reid)

Accept Agreed Order admonishing Respondent for relying, while Superintendent of Murray Independent Schools, on the Director of Pupil Personnel to properly prepare, disseminate, and file student enrollment information both with the District and third parties, including Calloway County and KDE. While the Board understands that Respondent individually believed the enrollment information correctly and properly reported the number of Calloway County students attending schools in the Murray Independent School District, as Superintendent, he was ultimately responsible for the error. A Superintendent must not only abide by all applicable school laws and regulations, but also put policies and practices in place to make certain that those in his employ do so as well.

**Vote:** *Unanimous*

06-0369 (Jeremy Stephens)

Accept Agreed Order revoking Respondent's certificate for a period of five (5) 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 his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601. 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 five (5) 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 area of ethics as approved by the Board. Any expense incurred for the program shall be paid by Respondent. Respondent shall also comply with any and all probationary requirements in Ohio Circuit

Court case number 06-CR-00075. Upon application for certification after the five (5) year revocation period, Respondent shall submit written proof from Ohio Circuit Court that he successfully completed his probation.

**Vote:** *Unanimous*

06-0228 (Nathan Underwood) Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. While it appears that there was no sexual contact between Respondent and a student, Respondent should be aware that, as an educator, he must maintain an appropriate level of professionalism with students at all times. A teacher must never go on a date with a student. The Board will tolerate no further acts of misconduct from Respondent. In addition, Respondent's teaching certificate shall be subject to the following probationary conditions for a period of three (3) years from the date of acceptance of this Order by the Board. 1. By August 1, 2009, Respondent shall provide written proof to the Board that he has completed twelve (12) hours of professional development/training in the area of ethics as approved by the Board. 2. 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 arbitration process. Should Respondent violate any of these conditions, his certificate and any and all endorsements shall be automatically suspended for a period of five (5) years and subject to additional disciplinary sanctions pursuant to KRS 161.120.

**Vote:** *Unanimous*

07-09162 (Angeline Davis) Accept Agreed Order suspending Respondent's certificate, including any and all endorsements, for ten (10) days from the date of the acceptance of this order by the Board. This settlement agreement is expressly conditioned upon Respondent providing written proof to the Board that she has completed an eight (8) hour course in classroom management and

twelve (12) hours of ethics professional development/training by June 1, 2009. All training must be approved by the Board and any expense incurred for said 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*

05-0122 (Marilyn Mackin) Accept Agreed Order suspending Respondent's certificate for a period of ninety (90) days beginning from the date of acceptance by the Board of this Order.

**Vote:** *Unanimous*

06-0356 (Sharon Harned) 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. While the Board appreciates Respondent's efforts to interest students in reading, an educator must consider the appropriateness of the material before providing it to the class. The Board will not tolerate any further incidents of misconduct from Respondent.

**Vote:** *Unanimous*

07-05101 Defer

**Vote:** *Unanimous*

08010344 (Rebecca Shelton) 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*

07-0341 (Salvador Muniz) Accept Agreed Order dismissing case number 07-0341 on the following condition. On or before December 1, 2008, Respondent shall present written proof to the Board that he has completed all conditions ordered in Woodford District Court Case Number 07-M-00054 and that the Court has dismissed the case. If Respondent fails to satisfy this condition, his certificate shall be automatically suspended and remain so until this condition is met.

**Vote:** *Unanimous*

07-0229 (Lindy Forbes) Accept Agreed Order which states that the Board reminds Respondent that a teacher must maintain a professional approach with students and must be mindful of her duty to parents under the Professional Code of Ethics. Although the Board finds no malice in Respondent's actions and recognizes that Respondent's intention was to

protect the confidence of a student, the Board notes that teachers have a duty to communicate information to parents which should be revealed in the interest of the student. If a similar situation occurs in the future, Respondent shall either inform the parents or seek assistance from school officials if informing the parents may place the student at risk of harm.

**Vote:** *Unanimous (Ms. York, recused)*

08010085 (Dewayne Reinhardt) Accept Agreed Order which provides for the following:

1. Respondent's certificate is retroactively suspended from December 1, 2007 through March 29, 2008, a period of one hundred twenty (120) days. 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, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601, so that the retroactive suspension can be noted on Respondent's original certificate and any copies.
2. Respondent shall be placed on probation for a period of two (2) years beginning on the date the Board approves this Agreed Order. Should Respondent be convicted of a felony or a misdemeanor in which his wife is the complaining witness/victim during the period of probation, Respondent's certificate and all endorsements shall immediately be suspended for a period of two (2) years, and the Board reserves the right to seek additional sanctions.

**Vote:** *Unanimous*

0803656 (Gregory Nichols) Accept Agreed Order which provides for the following:

1. The Board admonishes Respondent that inappropriate use of technology will not be tolerated. Viewing inappropriate material on a school computer damages the dignity and integrity of the teaching profession.
2. Respondent's certificate, including any and all endorsements, is retroactively suspended for three (3) days (March 5 through March 7, 2008). 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, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601, so that the retroactive suspension can be marked on his certificate.

3. For three (3) years from the date the Board approves this Agreed Order, Respondent shall receive no disciplinary action for inappropriate use of technology 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 this condition, his certificate shall be automatically suspended for one (1) year, and the Board may initiate new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

06-05111 (Joseph Chappell) Accept Agreed Order admonishing Respondent for his failure to manage student behavior in an appropriate manner. As a teacher, it is Respondent's responsibility to maintain a safe and positive learning environment at all times. He must make every effort to protect the health, welfare and safety of those in his care. This agreement is conditioned upon Respondent providing written proof to the Board, on or before April 15, 2009, that he has completed six hours of professional development/training in the area of appropriate behavior management techniques, approved by the Board and at his own expense. Respondent agrees that should he fail to satisfy this condition, his certificate shall be automatically suspended and remain so until he provides written proof to the Board that the condition is met.

**Vote:** *Unanimous*

07122803 (Amy Danzo) Accept Agreed Order admonishing Respondent for exchanging personal text messages with a minor volunteering in her school. As a counselor and education professional, it is Respondent's responsibility to set and maintain appropriate

boundaries with all students and minors she encounters both in and out of the school setting. This agreement is conditioned upon Respondent providing, on or before March 1, 2009, written evidence to the Board that she has successfully completed twelve hours of professional development/training, approved by the Board, in appropriate teacher/student relationships and/or boundary issues and ethics. Any expense for this professional development/training shall be paid by Respondent. If Respondent fails to satisfy this condition, her certificate shall be automatically suspended until this condition is met.

**Vote:** *Unanimous*

06-0484 (Mack Lacey)

Accept Agreed Order suspending Respondent's certificate for a period of four days beginning April 14, 2006. 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 conditioned upon Respondent providing written proof to the Board, on or before January 15, 2009, that he has completed six hours of professional development/training in the area of appropriate behavior management techniques, approved by the Board and at his own expense. Respondent agrees that should he fail to satisfy this condition, his certificate shall be automatically suspended and remain so until he provides written proof to the Board that the condition is met.

**Vote:** *Unanimous*

04-0568 (Cassandra Webb)

Accept Agreed Order which provides for the following: Respondent agrees to complete professional development/training regarding the Accounting Procedures for Kentucky School Activity funds, commonly known as "Redbook" as approved by the Board. Any expenses incurred for the training shall be paid by Respondent. Respondent has supplied proof of completion of the required training to the Board, therefore upon

acceptance of this order by the Board, Case #04-0568 will be dismissed.

**Vote:** *Unanimous*

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

**Vote:** *Unanimous*

Meeting adjourned at 3:25 p.m.

Next Meeting: January 26, 2009  
9:00 AM  
EPSB Board Room  
Frankfort, Kentucky