

The actions delineated below were taken in open session of the EPSB at the June 18, 2007 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
Louisville Marriott East, 1903 Embassy Square Blvd.
Louisville, Kentucky
June 18, 2007**

Members Present:

Jim Cibulka
Frank Cheatham
Lydia Coffey
Jennifer Forgy
Kristin Gregory
Allan Paul
Zenaida Smith
Tom Stull
Lorraine Williams
Cynthia York

Members Absent:

Lonnie Anderson
Jim Applegate (for Tom Layzell)
Sam Evans
Rebecca Goss
Kent Juett
Rita Presley
Steve Schenck (for Kevin Noland)

Call to Order

Chairman Tom Stull convened the meeting at 9:10 a.m. EDT.

Amendment of the June 18, 2007 Agenda

Motion made by Dr. Jim Cibulka, seconded by Dr. Frank Cheatham, to amend the agenda to add Action Item D. Approval of Contracts.

Vote: *Unanimous*

Approval of May 14, 2007 Minutes

Motion made by Ms. Kristin Gregory, seconded by Dr. Cheatham, to approve the May 14, 2007 minutes.

Vote: *Unanimous*

Open Speak

Dr. Jacque Van Houten, a world language and international education consultant with the Kentucky Department of Education, addressed the tremendous need for foreign language teachers and foreign language certification in Kentucky. She stated that the production of foreign language teachers has been low in the last few years, especially for critical language teachers. *Critical language* has been defined by the government as those languages needed for cultural awareness, homeland and national security, and economic competitiveness. Currently Kentucky does not have any universities that provide teacher certification programs in critical languages such as Japanese, Chinese, and Arabic. If the

EPSB could certify as teachers Kentucky residents who are native speakers of the critical languages, it would be a great significance to the state. To fill the significant need for Chinese teachers in Kentucky, Ms. Van Houten must travel to China in search of teachers. She stated that board action to help facilitate foreign language teacher certification would be greatly appreciated.

Report of the Executive Director

Dr. Rogers thanked board members for their hard work during the summer retreat over the weekend. He informed the audience that the board had great conversation in the development of a plan in math and science education, particularly in the STEM disciplines. On Friday June 15, Dr. Rogers and other EPSB staff attended the Value-Added Assessment (VAA) conference where they listened to experts report on VAA. Dr. Rogers will send the VAA reports electronically to the board within the week. He stated that the EPSB is very committed to VAA as a component of accountability for teacher preparation programs.

Dr. Rogers further reported that the EPSB is very busy with the summer season. Six consultants process approximately 30,000 certificates a year, with a large portion of those certificates produced during the summer months. Additionally, Dr. Rogers informed the board that EPSB staff will be meeting with teachers and Local Educator Assignment Data (LEAD) and Kentucky Teacher Internship Program (KTIP) coordinators over the next few weeks to update them on what to expect for the upcoming school year.

Report from the Council on Postsecondary Education (CPE)

There was no report from the CPE.

Report from the Kentucky Department of Education (KDE)

There was no report from the KDE.

Report of the Chair

There was no report from the chair.

Committee Reports

There were no committee reports.

Information/Discussion Items

Containment of KTIP Expenses

Ms. Cindy Owen and Mr. Gary Freeland reported on the Kentucky Teacher Internship Program (KTIP) expenses. Ms. Owen stated that a dilemma has been reached regarding resource teacher payments.

KRS 161.030 requires that all new teachers and out-of-state teachers with less than two (2) years of successful teaching experience who are seeking initial certification in Kentucky serve a one (1) year internship. The statute further states that the resource teacher shall be paid a reasonable stipend. 16 KAR 7:010 stipulates that a resource teacher shall be paid a stipend of \$1,400 for a year of service.

As presented at the May 14, 2007 meeting, due to the increase in the number of interns the cost of both KTIP and KPIP exceeds the allotted funds for Fiscal Year (FY) 2007. This will be the third consecutive year that the internship expenses have exceeded the amount allotted by the General Assembly. The continued use of agency operating funds to cover these overages has resulted in the postponement of important infrastructure supports and upgrades. The agency can no longer continue to use agency operating funds to cover the overages of KTIP.

EPSB staff members have looked at many options to assist with the KTIP overages. Forecasted FY 2007 KTIP expenses will exceed the allotment by over \$800,000. EPSB staff met with the Education Cabinet and Governor's Office for Policy and Management (GOPM) to request additional funding. Working with the Office of Career and Technical Education (OCTE), the Education Cabinet was able to assist with funding through the federal Perkins Grant. This grant will pay for expenditures for Career and Technical Education interns, approximately \$300,000 in FY 2007 and \$350,000 in FY 2008. Even with the Perkins Grant, the EPSB will still need to use about \$200,000 in operating funds and \$300,000 of FY 2008 KTIP allotment to cover KTIP expenses for FY 2007. At the May 2007 meeting, the EPSB voted to write a letter to the Governor requesting emergency appropriations for the KTIP program.

Ms. Cindy Owen informed the board that the only option for staying within the allotment approved by the General Assembly may be to reduce resource teacher payments beginning with FY 2008. EPSB staff is researching the possibility of combining the allotments for KTIP and KPIP and paying both teachers and principals at the end of FY 2008 when the number of interns is known in order to maximize payments. This would require a waiver of the language in the regulation to postpone resource teacher payments in December until the end of FY 2008.

Lengthy discussion among the board ensued. Board members were very concerned about the possible negative impact of reducing resource teacher payments. They feared that this would send a message to teachers that the EPSB did not find the KTIP program valuable. Some board members stated that they would prefer to use certification fees and operating expenses be used to cover KTIP overages rather than reduce resource teacher payments. Mr. Freeland informed the board that fiscal responsibility mandates that the EPSB must take action to align the expenses of KTIP with the budget allotment. Cost cutting activities over the past three years have avoided reducing the resource teacher stipend; however, the growing number of interns and the static funding now make it necessary for this to be considered.

Motion made by Ms. Lorraine Williams to communicate to interested stakeholders that the board will seek to stay within the KTIP allocation which may result in a reduction of KTIP resource teacher payments. Motion failed to get a second and died.

Lengthy discussion ensued again among the board.

The consensus of the board was that the board letter to the Governor detailing the crisis of the KTIP program be copied to the chairs of the Education and Appropriation

Committees, superintendents, and KTIP coordinators. As Ms. Owen attends KTIP meetings, the board would like for her to inform the teachers of the shortage of funds for the KTIP program and to assure them that the board is exploring all avenues to ensure that resource teacher payments not be reduced. Ms. Owen will prepare an action item for the August board meeting, asking for a waiver of the December resource teacher payment. The board asked to view the letter prior to its being sent to the Governor.

Action Items

EPSB Procedure Manual Amendment, Expense Reimbursement Procedure

Mr. Gary Freeland reported that the EPSB's Teacher Quality Enhancement Grant (TQEG) was audited by the Kentucky Auditor of Public Accounts earlier this year as a part of the statewide audit for federal programs. Auditors reviewed all of the TQEG records and reported no findings other than an informal email indicating that the records could have been maintained better. As a result of the audit and to improve the agency's filing system, Mr. Freeland stated that beginning July 1, 2007, the agency's documents and contract records will be centralized in the front office to provide a more secure and controlled environment.

Mr. Freeland further reported that the agency is approaching the close of FY 2007 and final financial reports will be available at the end of July. This information will be provided to the board at the August EPSB meeting.

Additionally, Mr. Freeland summarized proposed amendments to the board member travel reimbursement procedure. First, he suggested that board member travel expenses be reimbursed according to state regulation which allows all governor-appointed boards to receive actual and necessary expenses. Actual and necessary expenses will require board members to keep all receipts for reimbursement. Second, Mr. Freeland informed the board that the current reimbursement procedure has a limitation of \$40 per day for meal reimbursement, and the chair must approve "other" expenses. Mr. Freeland proposed to removing the cap on the meal reimbursement rate and allowing the Deputy Executive Director to approve "other" expenses. The proposed procedure will be made effective retroactive to January 2007.

2007-049

Motion by Dr. Cheatham, seconded by Ms. Lydia Coffey, to approve the expense reimbursement procedure as revised.

Vote: *Unanimous*

Brescia University – Interdisciplinary Early Childhood Education, Birth to Primary (Bachelor's Level)

Before presenting her report to the board, Dr. Marilyn Troupe asked Sister Sharon Sullivan to join her at the table. Dr. Troupe stated that Brescia University is asking for approval for Interdisciplinary Early Childhood Education, Birth to Primary (Bachelor's

Level). It will be the only program of its kind in the western region of the state. Sister Sharon explained to the board that the university did not wish to recruit students until the board approved the program. She further stated that the university is committed to hiring a full-time faculty member in the fall of 2008 upon board approval of the program.

2007-050

Motion made by Ms. Lydia Coffey, seconded by Ms. Jennifer Forgy, to approve the proposed educator preparation program addition with the condition that the full-time faculty member be hired prior to program implementation.

Northern Kentucky University - Arabic, Chinese, and Japanese (Bachelor's Level and Option 7)

2007-051

Motion made by Ms. Lydia Coffey, seconded by Ms. Lorraine Williams, to approve the proposed educator preparation program additions including Option 7.

Vote: *Unanimous*

Dr. Rogers commended Northern Kentucky University for developing such a critical program to Kentucky.

Approval of Contracts

2007-052

Motion made by Ms. Kristin Gregory, seconded by Ms. Zenaida Smith, to authorize the executive director to submit a Request For Proposal (RFP) for the intent of awarding an informational video production contract for the Troops to Teachers program.

Vote: *Unanimous*

Waivers

16 KAR 3:060. Request to waive Guidance Counselor, Provisional and Standard Certificates, All Grades, Western Kentucky University

Prior to reporting to the board, Dr. Troupe asked Dr. Retta Poe, associate dean of Western Kentucky University, to join her at the table. Dr. Poe expressed her concern with the guidance counselor regulation that became effective in 2005. The sunset date for this regulation was December 31, 2006 for completion of the provisional and standard certificate. During this time, Western Kentucky University had some candidates enrolled in the Rank I certification program for school counselor who were nearing completion but fell several hours short of the requirements by December 31, 2006. These candidates

do not want to transfer to the new counselor programs and believe that they should be able to complete the program that was in place when they matriculated.

2007-053

Motion made by Ms. Gregory, seconded by Dr. Cibulka, to approve the waiver request to allow noted Western Kentucky Students to complete the guidance counselor program under the requirements established when they matriculated.

Vote: *Unanimous*

16 KAR 5:010. Request to Waive the Quality Performance Index (QPI)

2007-054

Motion made by Dr. Cibulka, seconded by Dr. Cheatham, to approve the waiver request to not publish the QPI indefinitely as a component of the Kentucky Educator Preparation Program (KEPP) Report Card until the committee reports back to the board with recommended changes .

Vote: *Unanimous*

16 KAR 4:060. Request to Waive Three Years of Successful Teaching Experience for Certificate Renewal, Ms. Angela Walsh

2007-055

Motion made by Ms. Lydia Coffey, seconded by Ms. Lorraine William, to not approve the waiver request of three years of successful teaching experience for certificate renewal.

Vote: *Unanimous*

16 KAR 7:010. Request to Waive the Required 15 Hours Per Week for Participation in KTIP, Ms. Kaye Wilkins on behalf of Mr. James Ryan Davenport

2007-056

Motion made by Ms. Gregory, seconded by Ms. Coffey, to not approve the waiver request for the required 15 hours per week for participation in KTIP.

Vote: *Unanimous*

Board Comments

There were no board comments.

**DISCIPLINARY MATTERS:
MINUTES OF CASE REVIEW
June 18, 2007**

Motion made by Ms. Lydia Coffey, 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 Ms. Coffey, seconded by Dr. James Cibulka, to return to open session.

Vote: *Unanimous*

Motion made by Dr. Cibulka, seconded by Ms. Kristin Gregory, to respond to correspondence from Professional Learning Systems regarding the Indiana Wesleyan order from the January 2007 board meeting.

Vote: *Unanimous*

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

Tom Stull, Zenaida Smith, Kristin Gregory, James Cibulka, Jennifer Forgy, Cynthia York, Frank Cheatham, Allan Paul, Lydia Coffey, and Lorraine Williams.

Attorneys present were Alicia A. Sneed, Diane Fleming, Cynthia Clay Grohmann, and Gary A. Stephens.

INITIAL CASE REVIEW

<u>Case Number</u>	<u>Decision</u>
07-0462	Defer for proof
07-0344	Hear
07-0350	Hear
07-0464	Defer for proof
07-0466	Dismiss Without Prejudice
07-0353	Defer for proof
07-0589	Defer for proof
07-0468	Hear
07-0341	Hear
07-0469	Hear

07-0349	Hear
07-0234	Hear
07-0233	Hear
07-0336	Hear
07-0343	Defer
07-0459	Hear
06-09231	Hear
07-0463	Dismiss Without Prejudice
07-0347	Hear
06-12269	Defer
07-0457	Hear
07-0456	Dismiss Without Prejudice
07-0352	Hear
07-0355	Hear
07-0461	Defer for proof
07-0475	Admonish
07-0338	Hear
06-11255	Hear
07-0472	Defer for proof
07-0348	Hear
07-0340	Hear
07-0467	Hear
07-0354	Hear
07-0458	Hear
07-0342	Hear
07-0470	Dismiss Without Prejudice
07-0465	Hear
06-07195	Dismiss Without Prejudice
04-12162	Dismiss Without Prejudice
00-0478	Dismiss Without Prejudice
07-0225	Dismiss Without Prejudice
05-0478	Dismiss Without Prejudice

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
07-053	Approve
07-054	Approve
07-055	Approve
07-056	Approve
07-057	Approve
07-060	Approve
07-061	Approve
07-062	Approve

07-064	Approve
07-066	Approve
07-068	Approve
07-069	Approve
07-070	Defer
07-071	Approve
07-072	Approve
07-073	Approve

Agreed Orders

<u>Case Number</u>	<u>Decision</u>
06-08221 (Lillian Whalen)	<p>Accept agreed order admonishing Respondent for her failure to disclose her prior felony criminal conviction on her application for employment. The Board trusts the members of its profession to act with honesty and integrity, not only in the classroom, but in all professional dealings.</p> <p>Respondent's certificate is suspended for a period of thirty (30) days from the date of acceptance of this Order by the Board. During the thirty (30) 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.</p> <p>In addition to any educational requirements, re-issuance of Respondent's teaching certificate, at the conclusion of the thirty (30) day period, is expressly conditioned upon Respondent providing written evidence to the Board that she has completed twelve (12) hours of ethics training prior to July 31, 2007. 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 thirty (30) day period. Upon reinstatement, Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to the following probationary condition for a period of two (2) years from the date of issuance: Respondent shall receive no further disciplinary action by any school district in the United States</p>

including, but not limited to, admonishment, reprimand, suspension or termination.

By entering into this Agreed Order, Respondent agrees that should she fail to satisfy this condition 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, certificate xxx-xx-xxx 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*

06-08210 (Christopher Gay) Accept Agreed Order permanently revoking Respondent's certificate. Respondent shall neither apply for, nor be issued, a teaching certificate at any time in the future. Respondent agrees that he is ineligible to hold a teaching certificate and his is voluntarily, knowingly, and intelligently surrendering his certificate for cause. Respondent shall surrender the original Emergency Substitute Certificate and all copies to EPSB, by hand delivery or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky, 40601.

Vote: *Unanimous*

04-12148 (John Christian) Agreed Order suspending Respondent's certificate for a period of ten days from the date of acceptance of this Order by the Board. Respondent shall surrender the original and all copies of this certificate immediately, by first class mail or personal delivery by first class mail or personal deliver to the EPSB at 100 Airport Road, Third Floor Frankfort, KY 40601. This agreement is expressly conditioned upon Respondent providing written evidence to the Board on or before August 1, 2007 that he has successfully completed twelve hours of professional development training approved by the Board in the areas of sexual harassment, 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.

Vote: *Unanimous*

06-05101 (James Robinson) Accept Agreed Order admonishing Respondent for performing the duties of principal without the appropriate certification. While trained as a social worker, Respondent holds a certificate to work in Kentucky schools. He must understand that it is his responsibility as well as that of his superiors to abide by the statutes and regulations that govern his profession. It is his duty to remove himself or take other appropriate actions when others fail to uphold the dignity and integrity of the teaching profession by skirting the law. Respondent's certificate is subject to the following probationary conditions. 1. Respondent shall not accept any position of employment that requires certification without first obtaining such certification. 2. Respondent agrees to testify truthfully in the case against Edwina Sheffield Slack if called upon to do so. Should Respondent violate these conditions he agrees that certificate xxx-xx-xxxx shall be automatically suspended for a period of two years. If violation of this condition involves conduct in violation of KRS 161.120, the Board may pursue additional sanctions.

Vote: *Unanimous*

05-11218 (Christopher Browning) Accept Agreed Order suspending Respondent's certificate for a period of thirty (30) days 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, 3rd Floor, Frankfort, Kentucky 40601. This settlement agreement is expressly conditioned upon Browning providing written proof to the Board that he has complied with the following:

1. By June 1, 2008, Respondent shall complete twelve (12) hours of professional development/training in the areas of ethics and appropriate teacher/student relationships and/or boundary issues, as approved by the Board. Any expense incurred for the program shall be paid by Respondent.

2. By June 1, 2008, Respondent shall also complete a course in the area of sexual harassment awareness to be approved by the Board. Any expense incurred for the program shall be paid by Respondent.

Should Respondent fail to satisfy these conditions, his teaching certificate shall be suspended until such time that the conditions are met.

Respondent is also admonished for his conduct. The Board reminds Respondent that he has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students. Showing a student a photograph which contains a reference to oral sex is never appropriate under any circumstances. The Board will not tolerate any further incidents of misconduct.

Vote: *Unanimous (Mr. Stull, recused)*

06-05121 (Timothy Sarver) Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. The Board reminds Respondent that he has a duty to treat other members of the teaching profession with dignity and respect. An educator must be careful not to communicate in a way that others may find offensive, particularly when students are around. This settlement agreement is expressly conditioned upon Sarver providing written proof to the Board that he has received twelve (12) hours of professional development/training in the area of ethics, as approved by the Board, no later than August 1, 2007. Any expense incurred for said training shall be paid by Sarver. Failure to comply with the training requirements by August 1, 2007 will result in an automatic suspension of Sarver's teaching certificate and it will remain suspended until he completes the training requirements contained in this Agreed Order.

Vote: *Unanimous*

06-0123 (Steven L. Johnson) Accept Agreed Order revoking Respondent's certificate for a period of thirty (30) 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, 3rd 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 thirty (30) year revocation period is expressly conditioned upon Respondent providing written evidence to the Board, at the time of application, that he has complied with the following:

Respondent shall complete twelve (12) hours of professional development/training in the areas of sexual harassment, ethics and appropriate teacher/student relationships and/or boundary issues, as approved by the Board. Any expense incurred for the program shall be paid by Respondent.

Vote: *Unanimous*

06-08212 (David Ingram) Accept Agreed Order suspending Respondent's certificate for a period of fourteen (14) months retroactive to May 26, 2006. During the 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, reinstatement of Respondent's teaching certificate at the conclusion of the fourteen (14) month period is expressly conditioned upon Respondent providing written evidence to the Board that he has complied with the following:

1. Respondent shall complete twelve (12) hours of ethics training. Any expense for required training shall be born by the Respondent.

2. Prior to re-instatement, 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-instatement, 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 fourteen (14) month 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 provide the Board with quarterly reports from his employment supervisor as to his progress during the entire probationary period.

2. Having provided the Board with proof of completion of a six-week substance abuse program provided by The Adanta Group, Respondent will complete any recommended after-care programs recommended by his counselors. Any expense for said treatment shall be born by the Respondent.

3. Respondent shall provide the Board with monthly drug screen reports. Further, he shall immediately submit to any random screen requested either by the Board or his school district and provide this report to the Board. Any expense for said testing shall be born by the Respondent.

4. 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 he fail to satisfy any of these conditions during the probationary period, his certificate shall be automatically suspended for an additional period of one (1) year. If applicable, at the conclusion of the one year suspension, his

certificate shall remain suspended until such time as the probationary conditions are met.

Respondent is aware that should he 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*

07-0224 (Lloyd Caudill)

Accept Agreed Order suspending Respondent's certificate for a period of forty five (45) days 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, 3rd Floor, Frankfort, Kentucky 40601. Upon reinstatement after the forty five (45) day 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 December 31, 2007, 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, 2007, 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. By December 31, 2007, Respondent shall provide written proof to the Board that he has received twelve (12) hours of professional development/training in ethics as approved by the Board. Any expense for this professional development/training in ethics shall be paid by Respondent.

3. 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 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*

06-0354 (Kenneth Alford)

Accept Agreed Order suspending Respondent's certificate for a period of twenty-five (25) days beginning from the date of acceptance of this Order by the Board. Respondent will be credited for the five days suspension levied by the superintendent. Alford shall surrender the original and all copies of her certificate immediately, by first class mail or personal delivery to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

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 the area of ethics as approved by the Board, no later than June 1, 2008. Any expense incurred for said training shall be paid by Respondent.

Failure to comply with the training requirement by June 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.

Upon approval of this Agreement, and by Respondent satisfying the foregoing, all matters between the parties are hereby resolved.

Vote: *Unanimous*

07-0107 (Larry Adams)

Accept Agreed Order permanently revoking Respondent's teaching 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*

05-0591 (Connie Huff)

Accept Agreed Order suspending Respondent's certificate for a period of ten (10) days beginning June 26, 2007. Respondent shall surrender the original and all copies of her certificate on or before June 26, 2007, by first class mail or personal delivery to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

06-10248 (Rodney Barnard)

Accept Agreed Order dismissing Respondent's case without prejudice on the following condition.

On or before January 1, 2008, Respondent shall present written evidence to the Board that he has successfully completed twelve hours of training, approved by the Board and at his own expense, in the area of student/teacher boundary issues. Should Respondent fail to satisfy this condition, his certificate shall be automatically suspended until this condition is met.

Vote: *Unanimous*

05-08148 (Cindy Coots)

Accept Agreed Order suspending Respondent's certificate for a period of two (2) years beginning

from March 1, 2005. Respondent shall surrender the original and all copies of her certificate immediately, by first class mail or personal delivery to the EPSB, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Upon re-application, Respondent will supply a report from a licensed psychiatrist/psychologist in the area of substance abuse counseling that she has been evaluated and complied with all treatment recommendations of that substance abuse counselor. As of this February 8, 2007, Respondent has complied with this provision of the Agreed Order. Any expense for said evaluation shall be born by the Respondent. Failure to comply with this provision of the Agreed Order will result in Respondent's re-application being denied.

Vote: *Unanimous*

07-0345 (Tessa Houser)

Accept Agreed Order subjecting Respondent's certificate, and any future endorsements or new areas of certification, to the following probationary conditions.

1. On or before July 15, 2007, Respondent shall submit written documentation from a psychiatrist, licensed in Kentucky and approved by the Board, that Respondent has cooperated in a comprehensive mental health evaluation, is cooperating with any and all treatment recommendations, and is fit to return to the classroom. Any expense for this evaluation and report shall be paid by Respondent.

2. On or before January 1 and July 15, 2008, Respondent shall submit written proof from her treating mental health professional/physician, licensed in Kentucky and approved by the Board, that she is continuing to comply and follow through with any and all treatment recommendations and remains fit for classroom duty. Any expense incurred to satisfy this condition shall be paid by Respondent.

3. Respondent shall continue to submit such reports by January 1 and July 15 of each following year until she submits written proof from her treating mental health professional/physician, licensed in Kentucky and approved by the Board, that she is

released from treatment. Any expense incurred to satisfy this condition shall be paid by Respondent.

4. Respondent shall comply with any and all conditions of her conditional release and shall receive no new criminal convictions.

At any time, should Respondent fail to satisfy any of the conditions outlined in one through three, her certificate shall be automatically suspended until such time as the conditions are met.

Should Respondent violate condition number four, her certificate shall be automatically suspended for two years based on the underlying facts of this case. If the violation includes new allegations of misconduct pursuant to KRS 161.120, the Board may open a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

06-05109 (Billie Mason)

Accept Agreed Order suspending Respondent's certificate for a period of forty five (45) days from the date this order is approved by the Board. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original certificate and all copies of her certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Upon reinstatement after the forty five (45) day 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 December 31, 2007, 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 December 31, 2007, 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, Respondent 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. By December 31, 2007, Respondent shall provide written proof to the Board that she has received twelve (12) hours of professional development/training in ethics as approved by the Board. Any expense for this professional development/training in ethics shall be paid by Respondent. 3. 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*

05-0101 (James Law)

Accept Agreed Order retroactively suspending Respondent's certificate from September 9, 2004 through July 5, 2005. 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.

Upon acceptance of this order by the Board, Respondent's certificate shall be subject to the

following probationary conditions for a period of five (5) years:

1. By January 1, 2008, Respondent shall submit proof that he has completed twelve (12) hours of professional development/training in the areas of drug abuse awareness and prevention as approved by the Board. Any expense for the professional development/training shall be paid by Respondent.

2. Respondent, in accordance with KRS 161.175, 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 suspended for a period of two (2) years. Reinstatement of Respondent's certificate shall be conditioned upon Respondent submitting to a random drug test to be administered by a provider approved by the Board. Any expense for the drug test shall be paid by Respondent. Respondent's certificate will not be reinstated if the test is positive for any illegal substances or byproducts of illegal substances.

3. Respondent shall perform fifteen (15) hours of community service at a Board approved charitable organization each year of the probationary period for a total of seventy-five (75) hours. Respondent shall provide written proof of completion of the hours by January 1 of each year of the probationary period. If Respondent fails to submit the required proof by the due date, his certificate shall be automatically suspended until this condition has been met.

4. Respondent shall submit a state criminal background records report to the Board by June 30 of each year of the probationary period. Any expense for the state criminal background records report shall be paid by Respondent. If Respondent fails to submit the required report by the due date, his certificate shall be automatically suspended until this condition has been met.

Respondent is aware that should he violate KRS 161.120, either during or following this five (5) year probationary period, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

06-0350 (Neil Carrington) Accept Agreed Order suspending Respondent's certificate for a period of thirty (30) days beginning from the date of acceptance of this Order by the Board. 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, 3rd Floor, Frankfort, Kentucky 40601. 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 the area of ethics as approved by the Board, no later than June 1, 2008. Any expense incurred for said training shall be paid by Respondent. Failure to comply with the training requirement by June 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*

Findings of Fact, Conclusions of Law and Recommended Orders

Consideration of the following matter took place with attorneys Alicia A. Sneed, Cynthia Clay Grohmann, and Gary A. Stephens out of the room.

<u>Case Number</u>	<u>Decision</u>
04-10120 (Darrin Clark)	Adopt the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Order and issue a Final Order permanently revoking Respondent's teaching certificate.

Vote: *Unanimous*

05-05100 (Belinda Sheetz)	Adopt the Hearing Officers' Findings of Fact, Conclusions of Law, and Recommended Order of Default, and issue a Final Order suspending Respondent's teaching certificate for one year, and placing Respondent on probation for 5 years after reinstatement, with the conditions of quarterly drug testing. Respondent must also be evaluated and
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deemed fit to return to the profession prior to reinstatement after the one year suspension period.

Vote: *Unanimous*

05-0236 (Owen Sheroan) Adopt the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Order of Default and issue a Final Order requiring Respondent to attend anger management counseling and proper restraint training prior to returning to the classroom.

Vote: *Unanimous*

KT-06-001 (Richard Goodman) Adopt the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Order and issue a Final Order dismissing Petitioner's KTIP appeal.

Vote: *Unanimous*

Motion made by Ms. Coffey, seconded by Ms. Williams, to adjourn the meeting.

Vote: *Unanimous*

Meeting adjourned at 3:15 p.m.

Next Meeting: August 27, 2007
9:00 AM
EPSB Board Room
Frankfort, Kentucky