

The actions delineated below were taken in open session of the EPSB at the March 19, 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
EPSB Offices, 100 Airport Road, 3rd Floor
Frankfort, Kentucky
March 19, 2007**

Members Present:

Lonnie Anderson
Jim Cibulka
Lydia Coffey
Frank Cheatham
Michael Dailey (for Kevin Noland)
John DeAtley (for Tom Layzell)
Sam Evans
Jennifer Forgy
Rebecca Goss
Kent Juett
Rita Presley
Zenaida Smith
Tom Stull
Lorraine Williams
Cynthia York

Members Absent:

Kristin Gregory

Call to Order

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

Amendment of the March 19, 2007 Agenda

Motion made by Dr. Frank Cheatham, seconded by Dr. Sam Evans, to amend the agenda to add Action Item, Waiver D: 16 KAR 5:040. Request to Waive the Cooperating Teacher Eligibility Requirements, Dr. Sam Evans on behalf of Ms. Pat Buchanan and Action Item G: 16 KAR 5:010. Thomas More College, Alternative Route to Certification (Option 6) Proposal for Master of Arts in Teaching Middle and Secondary Grades.

Vote: *Unanimous*

Open Speak

Dr. Pat Franklin, Kentucky Director of Graduate Studies at Indiana Wesleyan University (IWU), read a letter signed by IWU representatives regarding their desire to comply with the Education Professional Standards Board's (EPSB) directives and to continue to work cooperatively with the EPSB to provide quality academic offerings for Kentucky school educators. They also requested a meeting with EPSB staff.

Approval of January 22, 2007 Minutes

Motion made by Ms. Lydia Coffey, seconded by Ms. Lorraine Williams, to approve the minutes of the January 22, 2007 meeting.

Vote: *Unanimous*

Report of the Executive Director

Report from the Kentucky Department of Education (KDE)

There was no report from the KDE.

Report from the Council on Postsecondary Education (CPE)

Mr. John DeAtley reported on the CPE's work with the University of Kentucky on the Value- Added Assessment model which links teachers to educator preparation programs. A value-added conference is scheduled at Spindletop in Lexington, Kentucky on June 15.

Mr. DeAtley further informed the board that the CPE has released a Request for Proposals (RFP) for the Kentucky Principals' Academy due April 30th; collaborative proposals will be accepted. In May the CPE plans to hire an executive director for the Kentucky Principals' Academy. A cohort is expected to begin during the summer of 2008.

Legislative Update

Ms. Alicia Sneed updated the board on recent legislative actions taken during the 2007 Session. All of the new EPSB board members—Frank Cheatham, Jennifer Forgy, Rebecca Goss, Zenaida Smith, and Cynthia York—have been confirmed in both the House and the Senate. The House Concurrent Resolutions were signed by the Governor on March 16, 2007.

Senate Bill 1 and Senate Bill 2 have been added to House Bill 5 (deemed the energy bill) sponsored by Representative Harry Moberly. SB1 will give Advanced Placement students monetary gain. SB2 will use Praxis scores to increase the base salaries for math and science teachers. Ms. Sneed stated that she believes both bills are dead but may be seen in future legislative sessions.

House Bill 101, which would have made it mandatory for teachers to take a one-hour civics course and a three-hour literacy course, died in the Education Committee. A work session before the May meeting will provide board members with in-depth legislative updates.

Committee Reports

Report of the Committee to Develop the EPSB Retreat Agenda

Vice Chairman Jim Cibulka distributed copies of the draft June retreat agenda to the board. He reported that the committee preferred fewer topics in more depth than in previous summer retreats to allow sufficient time to develop strategies on key board issues. The committee requested that Barnett Berry, President of the Center for Teaching Quality, serve as guest speaker on Friday evening of the retreat to set the focus of the meeting.

2007-017

Motion made by Chairman Tom Stull to approve the retreat agenda.

Vote: *Unanimous*

Information/Discussion Item

Awarded Contracts

Deputy Director Gary Freeland reported on the details of two contracts awarded by the EPSB. The EPSB entered into a contract with the Louisville East Marriott for \$9,040.00 and amended a contract with Bob Pace to increase his travel to \$3,500.00.

Action Items

Approval of Contract Proposals

Mr. Freeland asked the board to clarify the board policy on approval of contracts. As fiscal and purchasing officer for the agency, Mr. Freeland asked the board if he could enter into routine purchase orders for supplies and services needed to run the agency. The board agreed that its policy allows for Mr. Freeland to enter into routine contracts that do not require the executive director's signature.

Mr. Freeland reported on seven contracts that require approval from the board. He expects the agency to exceed funds that have been appropriated this fiscal year and intends to ask the Governor's Office of Planning and Management for additional funding. KTIP payments may be delayed until July if the agency does not receive additional funds. If the EPSB is unsuccessful in receiving more funding, the next fiscal year payments will be affected more so than the current fiscal year. Mr. Freeland also reported on the audit of the Teacher Quality Enhancement Grant (TQEG) which was conducted in late February at a cost to the agency of \$17,000.00.

2007-018

Motion made by Dr. Jim Cibulka, seconded by Mr. Kent Juett, to authorize the executive director to enter into the contracts.

Vote: *14-Yes*

1- Recuse (Dr. Sam Evans on items 3 & 4 outlined in the March Agenda Book)

16 KAR 1:030. Procedures for certificate revocation, suspension, voluntary surrender, reinstatement and reissuance, and application denial, Final Action

2007-019

Motion made by Ms. Coffey, seconded by Ms. Lorraine Williams, to approve the amendments to 16 KAR 1:030.

Vote: *Unanimous*

16 KAR 9:080. University Based Alternative Certification Program, Final Action

This new regulation provides more guidance in the issuance of temporary provisional certificates for alternative certification candidates in teaching and school administration. Mr. Michael Carr informed the board that minor wording changes were made as requested during the January EPSB meeting.

Ms. Zenaida Smith asked that the regulation include a statement that the observer provides hands-on assistance during the required 15 hours of observation. Discussion ensued. The board concluded that the wording does not need to be changed.

2007-020

Motion made by Dr. Evans, seconded by Ms. Coffey, to approve the proposed regulation.

Vote: *Unanimous*

Plan Pertaining to the December 20 and May 1 Deadlines for Resource Teacher Timesheets in 16 KAR 7:010

2007-021

Motion made by Ms. Coffey, seconded by Ms. Rita Presley, to waive the December 20 and May 1 deadlines for Resource Teacher Timesheets in 16 KAR 7:010 until the regulation is brought to the board with the dates deleted.

Vote: *Unanimous*

Brescia University Accreditation with Conditions Report

In May of 2006, Brescia was accredited with conditions which included a requirement to write a report addressing Standard 6 to be submitted to the EPSB within six (6) months. This report was submitted to the Accreditation Audit Committee (AAC), and the AAC brought its recommendation to the EPSB.

2007-022

Issue One: *Motion made by Mr. Juett, seconded by Dr. Cheatham, to accept the recommendation of the AAC to remove the two identified areas for improvement and continue the other two areas for improvement.*

Vote: *Unanimous*

Dr. Evans expressed his concern about Sr. Sharon's workload. Sr. Sharon explained to the board that her work is her ministry, and the expectation of pay and workload may be different for others. Because of a decline in nuns serving the university, Brescia is moving toward more remuneration and a lighter workload in an effort to attract secular faculty members.

2007-023

Issue Two: *Motion made by Ms. Coffey, seconded by Mr. Lonnie Anderson, to accept the recommendation of the Accreditation Audit Committee (AAC) and grant continuing accreditation for Brescia University.*

Vote: *Unanimous*

Program Approvals

Thomas More College: Masters of Arts in Teaching

Dr. Troupe introduced Dr. Beth Penn, Dr. Manish Sharma, Dr. Joyce Hamberg, and Dr. Bradley Bielski of Thomas More College. Ms. Zenaida Smith stated that she was pleased to see the face-to-face course offerings in the executive summary.

By the fall of 2007, Thomas More College representatives expect to enroll 10-15 students, with an outer limit of 20 students in the future. There are currently five (5) full-time faculty and as the number of students increase, full-time faculty will be added. Ms. Lorraine Williams posed a question to the board regarding what kinds of criteria may be put in place to ensure that faculty across all institutions meet best practices standards.

2007-024

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

Vote: *14- Yes*
1- Recuse (Kent Juett)

16 KAR 5.010. Thomas More College, Alternative Route to Certification (Option 6)
Proposal for Master of Arts in Teaching Middle and Secondary Grades

A representative of Thomas More College stated that to help support teachers in the alternative route to certification, a small cohort will meet weekly with a professor. One-on-one mentoring will be key to this program.

2007-025

Motion made by Ms. Coffey, seconded by Dr. Cibulka, to approve the alternative route to certification proposal.

Vote: *14- Yes*
1- Recuse (Kent Juett)

Morehead State University

2007-026

Motion made by Ms. Coffey, seconded by Ms. Jennifer Forgy, to approve the proposed educator preparation program additions –8.0 Endorsements (Instructional Computer

Technology) and 9.0 Continuing Education (Master of Arts in Education with ICT Endorsement and Planned Program for Rank 1 with ICT Endorsement).

Vote: 14 – Yes

1 – Recuse (Zenaida Smith)

16 KAR 5:040. Request to Waive the Cooperating Teacher Eligibility Requirements, Dr. Kathryn Akural on behalf of Ms. Teresa Griffin

2007-027

Motion made by Ms. Coffey, seconded by Ms. Forgy, to approve the waiver request.

Vote: Unanimous

16 KAR 6:010. Request to Waive Written Examination Prerequisites for Teacher Certification, Mr. Aaron Halbert, Ms. Deborah Lewis, and Ms. Hannah Brooks

Mr. Aaron Halbert, Issue 1:

2007-028

Motion made by Mr. Anderson, seconded by Ms. Forgy, to deny the waiver request.

Vote: Unanimous

Ms. Deborah Lewis, Issue 2:

2007-029

Expressing regret over the confusion resulting from changed test requirements, board members noted a desire to better communicate such changes. Ms. Rice shared that she and Ms. Cindy Owen have communicated with ETS the need to provide a conspicuous link to the state requirements page throughout the registration pages. After further comment from the board, Ms. Rice suggested the possibility of adding a statement to the score reports which would direct unsuccessful examinees to their state website for current requirements prior to re-registering for a test. EPSB staff will provide the board with information about ETS action regarding this issue.

2007-030

Motion by Ms. Coffey, seconded by Ms. Williams, to deny the waiver request.

Vote: Unanimous

Ms. Hannah Brooks, Issue 3:

2007-031

Motion made by Mr. Anderson, seconded by Ms. Coffey, to accept New York tests 001 Liberal Arts and Science and 002 Multi-Subject in place of Elementary Education: Content Knowledge (0014), but do not accept New York's 090 Assessment of Teaching Skills (ATS-W)-Written-Elementary in place of Kentucky's Principles of Learning and Teaching (0522)

Vote: Unanimous

16 KAR 4:020. Exceptional Children Teacher Assignment Waivers

2007-032

Motion made by Dr. Cheatham, seconded by Dr. Cibulka, to approve the exceptional children teacher assignment waivers.

Vote: *Unanimous*

16 KAR 5:040. Waiver of the Cooperating Teacher Eligibility Requirements, Dr. Sam Evans on behalf of Ms. Pat Bohannon.

2007-033

Motion made by Ms. Lorraine Williams, seconded by Dr. Cibulka, to approve the waiver request.

Vote: *14-Yes*
1- Recuse (Sam Evans)

Ms. Jorja Kremer, Middle School Science, Grades 5-9

2007-034

Motion made by Dr. Cibulka, seconded by Mr. Juett, to approve the alternative route to certification application.

Vote: *Unanimous*

Board Comments

There were no board comments.

**DISCIPLINARY MATTERS:
MINUTES OF CASE REVIEW
March 19, 2007**

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

Vote: *Unanimous*

Motion made by Mr. Lonnie Anderson, seconded by Dr. Frank 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, Sam Evans, Lorraine Williams, Jennifer Forgy, Cynthia York, Lydia Coffey, Rebecca Goss, Frank Cheatham, Rita Presley, Kent Juett, Lonnie Anderson, Jim Cibulka, and Michael Dailey.

Attorneys present were Alicia A. Sneed and Diane Fleming.

INITIAL CASE REVIEW

<u>Case Number</u>	<u>Decision</u>
06-12287	Hear
06-12305	Hear
06-12303	Hear
07-0104	Hear
06-12282	Hear
07-0102	Admonish
06-12301	Hear
06-11277	Defer
06-12290	Hear
06-12299	Admonish
06-12284	Hear
06-11267	Hear
06-12298	Hear
06-12297	Admonish
06-12292	Dismiss Without Prejudice
06-12281	Hear

<u>Case Number</u>	<u>Decision</u>
06-12306	Hear
06-12302	Hear
06-12307	Dismiss without prejudice
06-12313	Hear
06-12315	Admonish
06-12311	Admonish
06-11279	Hear (<i>Ms. Forgy, Mr. Juett dissented</i>)
06-12316	Hear (<i>Ms. Smith, recused</i>)
07-0115	Hear
06-12312	Hear
06-12283	Hear
06-11256	Hear
07-0103	Hear
06-10253	Hear
06-12314	Hear
06-12285	Hear
06-11280	Hear
06-11260	Hear
06-12286	Hear
06-12288	Hear
06-12308	Hear
06-12289	Hear
06-12309	Hear
06-12291	Admonish

06-12295	Hear
06-12300	Hear
06-11270	Hear
06-12293	Dismiss Without Prejudice
06-0347	Dismiss Without Prejudice
05-05101	Hear
06-06173	Dismiss Without Prejudice

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
06-247	Approve
07-010	Approve
07-012	Approve
07-014	Approve
07-016	Approve
07-017	Approve
07-018	Approve
07-020	Approve
07-021	Approve

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
07-019	Approve
07-015	Approve
07-022	Approve
07-023	Approve
06-209	Approve
07-024	Approve
07-013	Approve
07-025	Approve
07-026	Approve
07-027	Approve
07-028	Approve
07-029	Approve
07-030	Approve
07-031	Approve
07-032	Approve
07-033	Approve
07-034	Approve
07-035	Approve

Agreed Orders

Case Number

Decision

04-12158

(Kimberly Helm)

Accept agreed order revoking Respondent's certificate, including all specializations and endorsements, for a period of twelve (12) years beginning January 1, 2005. In addition, Respondent is denied issuance of Provisional Certificate for Instructional Leadership – Principal, Grades K-12, Level 2 for a period of twenty (20) years from the date this order is approved by the Board. Re-issuance of Respondent's certificate or issuance of a principal's certificate at the conclusion of the twelve (12) year period is expressly conditioned upon Respondent providing written evidence to the Board that she has complied with the following:

Respondent shall not have any future criminal convictions. Upon reapplication, Respondent shall submit an official report of her state and federal criminal history to the Board. Any expense for the criminal history shall be paid by Respondent.

Respondent shall complete twelve (12) hours of professional development/training in the areas of ethics and alcohol use prevention as approved by the Board. Any expense for the professional development/training shall be paid by Respondent. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of her certificate to the EPSB, by delivering or mailing to 100 Airport Road 3rd Floor, Frankfort, Kentucky 40601. Failure to do so shall result in further disciplinary action by the Board.

Vote: *Unanimous*

05-0611 (Penelope French) Accept agreed order revoking Respondent's certificate for a period of five (5) years beginning from March 10, 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. If the period of Respondent's diversion is shortened by the Circuit Court, Respondent may petition the Board to consider shortening the revocation period.

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. 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. Respondent will also be required to submit random drug testing upon reinstatement.

Vote: *Unanimous*

06-08215 (Joseph Briley) Accept agreed order revoking Respondent's certificate permanently upon acceptance of this order by the Board. Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky at any time in the future.

Respondent agrees that he is ineligible to hold a teaching certificate and he is voluntarily, knowingly, and intelligently surrendering his certificate for cause. Respondent shall surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky.

Vote: *Unanimous*

05-11215 (Richard Willis) Accept agreed order admonishing Respondent for his inappropriate actions with a student. The code of ethics for Kentucky certified personnel requires Respondent to maintain proper boundaries between himself and his students and his actions violate that duty. No further conduct of this nature will be tolerated by the Board.

Respondent must also provide proof that he has received twelve (12) hours of professional development in the area of proper boundaries between teacher and student by July 30, 2007. Respondent's certificate will

automatically be suspended until such time that he has completed said training.

Vote: *Unanimous*

06-05103 (Gregory Threat) Accept agreed order revoking respondent's teaching certificate for a period of ten (10) years from the date of acceptance of this Order by the Board.
In addition to any education requirements, issuance of a Kentucky teaching or administrative certificate to Respondent, or on his behalf, at the conclusion of the ten (1) 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*

06-0367 (Peter Howard) Accept agreed order revoking Respondent's certificate. Respondent shall immediately surrender the original and all copies of his certificate to the Board, by delivery or mail, to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.
From the date of acceptance of this Order by the Board, Respondent shall neither apply or be issued a teaching certificate in the Commonwealth of Kentucky.

Vote: *Unanimous*

Findings of Fact, Conclusions of Law and Recommended Orders

<u>Case Number</u>	<u>Decision</u>
KT-06-002 (Karen Edwards)	Adopt the Hearing Officer's Findings of Fact and Conclusions of Law, Modify the Hearing Officer's Recommended Order and issue a Final Order dismissing Respondent's KTIP appeal.

Vote: *Unanimous*

05-07119 (Danielle Brown) Adopt the Hearing Officer's Recommended Order of Dismissal finding that Respondent voluntarily withdrew

her request for a hearing, and issue a Final Order finding the facts in the Notice of Hearing Statement of Charges to be true and permanently revoking Respondent's teaching certificate.

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

Motion made by Ms. Williams, seconded by Ms. Coffey, to instruct the Board Counsel to proceed in conferring with necessary agencies and investigating the appropriate actions the Board can take to ensure Indiana Wesleyan University complies with the Cease and Desist Affidavit and follows the proper channels for accreditation. The Agency shall notify all certified teachers of a) the Board's mission to establish and enforce rigorous professional standards for preparation and certification; b) the Board's action against IWU; c) the recommended next steps for the teachers; and d) the website of Kentucky approved accredited institutions.

Vote: *Unanimous*

Motion made by Mr. Cibulka, seconded by Ms. Goss, to adjourn the meeting.

Vote: *Unanimous*

Meeting adjourned at 2:31 p.m.

Next Meeting: May 14, 2007
9:00 AM
EPSB Board Room
Frankfort, Kentucky