

*The actions delineated below were taken in open session of the EPSB at the May 14, 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  
May 14, 2007**

**Members Present:**

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

**Members Absent:**

Lydia Coffey  
Lorraine Williams

**Call to Order**

Chairman Tom Stull convened the meeting at 9:15 a.m. EDT.

**Amendment of the May 14, 2007 Agenda**

*Motion made by Dr. Frank Cheatham, seconded by Dr. Jim Cibulka, to amend the agenda to add Action Item G. Approval of Contracts and the swearing in of new board member, Allan Paul.*

**Vote:** *Unanimous*

**Swearing in of New Board Member**

Notary Public Ashley Abshire administered the oath of office to Mr. Allan Paul. Mr. Paul then introduced himself to the board. From Hickman County, he serves as a business educator at the Fulton County Area Technology Center where he has taught for 14 years. He currently has a master's degree in secondary education and is seeking his Rank I with a master's degree in guidance and counseling. Chairman Stull welcomed Mr. Paul to the board.

## **Approval of March 19, 2007 Minutes**

*Motion made by Dr. Cibulka, seconded by Mr. Kent Juett, to approve the March 19, 2007 minutes.*

**Vote:** *Unanimous*

## **Open Speak**

President Paul Wirtz and Secretary Gary Schroeder of the Kentucky Association of Colleges for Teacher Education (KACTE) presented the 2007 Friend of KACTE Award to Dr. Marilyn Troupe for her years of service and support for education programs in Kentucky. EPSB staff members Allison Bell and Elizabeth Springate received a 2007 Friend of KACTE Award at the KACTE Spring Conference in April. Dr. Wirtz gave a special thanks to Dr. Melissa Miracle, Mr. Gary Stephens, Mr. Terry Hibpshman, Mr. Mike Carr, and Ms. Cindy Owen for their participation at the KACTE Spring Conference.

## **Report of the Executive Director**

### Report from the Council on Postsecondary Education (CPE)

Mr. John DeAtley reported that the CPE formed an ACT Council for Kentucky in April comprising representatives from middle school through postsecondary institutions and adult education providers. The ACT Council will identify critical issues related to Kentucky student readiness and success in postsecondary education and provide leadership to educators across the state to improve student progress. The current priority for the ACT Council is the successful implementation of ACT's Evaluation, Planning and Assessment System (EPAS) that assesses student achievement in the eighth, tenth, and eleventh grades to support student planning for college and workplace readiness as mandated by Senate Bill 130.

Mr. DeAtley further informed the board that the final report of the Developmental Education Task Force recommended revisions to the minimum college admission requirements, which have not been changed since 2000. The CPE will consider revisions to the college admission requirements on May 21. Some changes may include raising the statewide standard of readiness in mathematics to 19 and the statewide standard of readiness in reading to 21.

Additionally, the CPE is currently reviewing proposals for the Kentucky Principals Academy and anticipates a decision by the end of May. The Request for Proposals for Kentucky's Improving Educator Quality State Grant Program Year 6 has been released and is due October 1, 2007.

### Report from the Kentucky Department of Education (KDE)

Mr. Michael Dailey reported that the KDE has hired Dr. Barbara Erwin, superintendent of Community Unit District 303 in St. Charles, Illinois, as Kentucky's Commissioner of Education. She will begin her duties on July 16, 2007.

## **Report of the Chair**

Chairman Stull made the following appointments and reappointments:

### Continuing Education Option Advisory Council (CEO):

*New Appointments:* Connie Evans, Donetta Trimble, Donna Tackett, Angela Owen, Pam Mobley, Christi Walker

*Reappointments:* John Vokurka, Jerry Hay, Michael Adams, Tom Schmitt, Ann French, Mary Margaret Kindel, Sylvia Carter.

It was noted that John Vokurka is now employed with Campbellsville University, not Western Kentucky University.

### Kentucky Advisory Council on Internships (KACI):

*New Appointment:* Pamela Mc Neal

*Replacement:* Amy Harris

### Educator Preparation Program Quality Measurement Committee:

*Appointments:* Melissa Miracle, Terry Hibpshman, Sam Evans, Tony Norman, Beth Penn, Ben Oldham, Steve Clements, and Dorie Combs

## **Committee Reports**

There were no committee reports.

## **Information/Discussion Items**

### 16 KAR 8:030. Continuing Education Option for Certificate Renewal and Rank Change, Notice of Intent

Ms. Cindy Owen reported to the board on the Continuing Education Option (CEO). The CEO allows a teacher to maintain his or her certificate by completing meaningful continuing education, including university courses, an advanced degree, or a combination of university courses, field-based experience, individual research, and approved professional development.

The EPSB contracts with educational cooperatives and local school districts across the state to be seminar sponsors that employ trainers who coach a cohort of CEO teachers through the program to earn a Rank I or Rank II. Currently, the EPSB has 10 seminar sponsors that employ 23 coaches who coach 38 cohorts made up of 697 CEO candidates. The number of teachers who have earned a rank change through the CEO program in the last seven years is 329.

Ms. Owen reported that for the past 18 months, suggestions for changes from seminar sponsors, coaches, and CEO candidates have been noted and discussed. Proposed

changes to the CEO regulation include clarifications, certificate extension, scoring procedures, program cost, *HOLD* provision, and timeframe for completion.

Board discussion ensued regarding the proposed CEO regulation changes. Some board members raised concerns that the program is not rigorous and should be redesigned to be comparable to the master's redesign work that is currently being conducted. EPSB staff

agreed that they would like more rigor for the program but would need additional funding. The board agreed that the CEO program cost should be raised higher than what was proposed to be more comparable to master's degree program costs. This regulation will be brought back to the board as an Information/Discussion Item in June or August.

#### Awarded Contracts

Deputy Executive Director Gary Freeland reported that the National Board for Professional Teaching Standards (NBPTS) contracts were awarded to seven (7) educational cooperatives and two (2) local school districts. A Request for Proposals (RFP) was resubmitted to give two additional school districts the opportunity to respond.

Mr. Freeland further reported that he expects a shortfall in Kentucky Teacher Internship Program (KTIP) and Kentucky Principal Internship Program (KPIP) funding, based upon projections. Recently Mr. Freeland spoke to the Governor's Office for Policy and Management (GOPM) and the Education Cabinet about the projected shortage, but both agencies have informed Mr. Freeland that no additional funding is available at this time.

To cover KTIP/KPIP overages, the EPSB is currently using its operating money. Expenses for out-of-state travel and improvement projects have recently been postponed this fiscal year to help pay for the underfunded KTIP/KPIP programs. The Education Cabinet has worked with the Office of Career and Technical Education (OCTE) in an effort to help offset the FY 2007 expenditures for KTIP and KPIP through the Perkins Grant. This grant, administered by OCTE, may pay for expenditures for Career and Technical Education interns, which will amount to \$300,000 in FY 2007 and \$350,000 in FY 2008.

Due to anticipated funding shortages for KTIP/KPIP, Mr. Freeland reported that it may be necessary to reduce the stipend of resource teachers for FY 2008 in order to pay all the resource teachers. The board raised its concerns in reducing the stipend as more and more demands are placed on teachers. The board feared that many skilled resource teachers would no longer participate in KTIP/KPIP if the stipend were reduced.

#### **2007-035**

*Motion made by Mr. Lonnie Anderson, seconded by Ms. Kristin Gregory, for Dr. Cibulka to compose a letter on the EPSB's behalf to the Governor's office asking for emergency appropriations to adequately fund KTIP/KPIP.*

**Vote:** *Unanimous*

## **2007-036**

*Motion made by Ms. Gregory, seconded by Ms. Zenaida Smith, for the EPSB to seek support from other agencies and stakeholders in the board's effort to adequately fund the KTIP and KPIP programs.*

**Vote:** *Unanimous*

### Brescia University Report on Areas for Improvement

Brescia University provided a written report addressing all areas for improvement as requested during the May 2006 board meeting. The board had no further questions.

### **Action Items**

#### Final Report for the Master's Redesign from the Kentucky Teacher Standards Committee and the Program Approval Guidelines Committee

Dr. Marilyn Troupe clarified to the board that this action item is the final report of the Standards and Guidelines committee, not the final report for the Master's Redesign Program. Institutions, teachers, and administrators still have an opportunity to comment on the changes for the rest of the summer. The board raised several questions and gave suggestions to Dr. Troupe.

## **2007-037**

*Issue 1: Motion made by Dr. Sam Evans, seconded by Dr. Jim Cibulka, to accept the final report of the Standards Committee.*

**Vote:** *Unanimous*

## **2007-038**

*Issue 2: Motion made by Mr. Kent Juett, seconded by Dr. Frank Cheatham, to accept the final report of the Committee for Development of Guidelines for Redesigned Master's Program Approval.*

**Vote:** *Unanimous*

### Alternative Route to Certification Proposal: Western Kentucky University, Superintendent- All Grades, Option 6

Dr. Troupe explained to the board that EPSB staff reviewed the WKU Option 6 proposal and found it to be in accordance with the intent of the legislation and with EPSB standards. The emphasis of the program will be placed on field and clinical experiences in the school with terminally degreed WKU faculty.

**2007-039**

*Motion made by Mr. John DeAtley, seconded by Ms. Gregory, to approve WKU's alternative route to certification proposal for School Superintendent, all grades.*

**Vote:** 14 – Yes  
1 – Recuse (Dr. Sam Evans)

Interdisciplinary Early Childhood Education (IECE) Advanced Level Program Approval for Rank II (Degree and Non-Degree) and Rank I Options: University of Kentucky

**2007-040**

*Motion made by Ms. Gregory, seconded by Mr. Juett, to approve the proposed educator preparation program additions.*

**Vote:** 14 – Yes  
1 – Recuse (Dr. Jim Cibulka)

Educator Preparation Program Quality Measurement Committee Charter

Dr. Marilyn Troupe asked that Dr. Melissa Miracle join the table. Dr. Miracle informed the board that in May of 2001, the EPSB approved the development and publication of a statewide report card for Kentucky's educator preparation programs (KEPP report card). The KEPP report card system has been in effect for over five years, and the measures used to determine program quality are due for revision. The committee charter for the Educator Preparation Program Quality Measurement Committee will review data and trends and recommend revisions if necessary. Some board members felt that the March 2008 deadline for the committee was too aggressive. Dr. Miracle stated that she will request additional time from the board if necessary.

**2007-041**

*Motion made by Mr. Lonnie Anderson, seconded by Dr. Frank Cheatham, to approve the recommendations for the Educator Preparation Program Quality Measurement Committee charter.*

**Vote:** Unanimous

EPSB Meeting Schedule

**2007-042**

*Motion made by Ms. Gregory, seconded by Ms. Becky Goss, to approve the meeting calendar for 2007 – 2008 as recommended.*

**Vote:** Unanimous

16 KAR 7:010. Kentucky Teacher Internship Program (KTIP) Appeal, Ms. Melissa Russell

The Appeals Committee members met on March 23, 2007 and recommended that the internship be nullified. The committee further recommended that the intern be allowed to repeat the internship without penalty, based upon procedural errors by the intern committee which make it impossible to determine if the intern was, in fact, unsuccessful.

**2007-043**

*Motion made by Dr. Evans, seconded by Ms. Rita Presley, to approve the recommendation of the Appeals Committee.*

**Vote:** *Unanimous*

Approval of Contracts

**2007-044**

*Motion made by Dr. Cibulka, seconded by Mr. Juett, to authorize the executive director to enter into a Memorandum of Understanding (MOU) with the Office of Career and Technical Education (OCTE).*

**Vote:** *Unanimous*

**Waivers**

16 KAR 6:010. Request to Waive Written Examination Prerequisites for Teacher Certification, Ms. Mary Lou Betts

**2007-045**

*Motion made by Ms. Rita Presley, seconded by Mr. Juett, to waive the requirement that Ms. Betts successfully complete the Principles of Learning and Teaching (0523) test and accept TExES 160 Pedagogy and Professional Responsibilities EC-12 in lieu thereof.*

**Vote:** *Unanimous*

16 KAR 7:020. Request to Waive the Kentucky Principal Internship Program, Mr. Terry Birdsong

**2007-046**

*Motion made by Mr. Lonnie Anderson, seconded by Mr. Allan Paul, to waive the regulatory requirement that Mr. Terry Birdsong must hold a full-time assistant principal position to participate in KPIP during the 2007-2008 school year.*

**Vote:** 2- Recuse (Dr. Sam Evans and Ms. Rita Presley)  
13- Yes

16 KAR 2:010. Request to Waive 6 New Graduate Hours for the Renewal of a Certificate, Ms. Nevia Springer

**2007-047**

*Motion made by Ms. Gregory, seconded by Dr. Cibulka, to not waive the requirement of fifteen (15) new graduate hours applicable to the fifth-year program for the initial five-year renewal of a certificate.*

**Vote:** *Unanimous*

16 KAR 4:020. Certification requirements for teachers of exceptional children.

**2007-048**

*Motion made by Mr. Juett, seconded by Ms. Presley, to approve the teaching assignment waivers as recommended by the Division of Exceptional Children Services (DECS) and EPSB staff.*

**Vote:** *Unanimous*

**Board Comments**

Dr. Sam Evans reported that Western Kentucky University is seeking nominations for the first class of the Gov. Louie B. Nunn Kentucky Teacher Hall of Fame. Applications are due at the end of May. The selection criteria will be created by a committee of higher education faculty and administrators, elementary and secondary teachers and administrators, and representatives from various state agencies and professional organizations. An EPSB member will be asked to serve on the selection committee. WKU was selected as the home of the Kentucky Teacher Hall of Fame because of its 100-year history in teacher education.

**DISCIPLINARY MATTERS:  
MINUTES OF CASE REVIEW  
May 14, 2007**

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

**Vote:** *Unanimous*

*Motion made by Dr. Cibulka, seconded by Dr. Cheatham, to return to open session.*

**Vote:** *Unanimous*



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

Tom Stull, Zenaida Smith, Kristin Gregory, Sam Evans, James Cibulka, Jennifer Forgy, Cynthia York, Frank Cheatham, Lonnie Anderson, Kent Juett, Rita Pressley, Allan Paul, Rebecca Goss, Michael Dailey, and John DeAtley.

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

#### **INITIAL CASE REVIEW**

<u>Case Number</u>	<u>Decision</u>
07-0117	Hear
07-0230	DWOP ( <i>Ms. Gregory, dissented</i> )
07-0112	Defer for proof
06-11278	Hear
07-0111	Hear
07-0231	Defer for proof
07-0223	Admonish
07-0116	Defer for proof
07-0228	Admonish
07-0108	Hear
07-0110	Hear
07-0109	Hear
07-0221	Hear
07-0120	Hear
07-0225	Defer
07-0226	Hear
06-12304	Admonish
07-0224	Hear
07-0113	Admonish
07-0101	Admonish
07-0114	Hear
07-0235	Admonish
07-0227	Hear
06-12294	Hear
07-0337	Hear
07-0345	Hear
06-12310	Admonish
07-0106	Hear
07-0105	Hear
07-0107	Hear
07-0229	Hear ( <i>Ms. York, recused</i> )
07-0119	Hear
07-0118	Hear
05-0241	Hear
06-11277	Dismiss

## Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
07-011	Approve
07-036	Approve
07-037	Approve
07-038	Approve
07-039	Approve
07-040	Approve
07-041	Approve
07-043	Approve
07-042	Deny
07-044	Approve
07-045	Approve
07-046	Approve
07-047	Approve
07-048	Approve
05-183	Deny
07-049	Approve
07-050	Approve
07-051	Approve
07-052	Approve

## Agreed Orders

<u>Case Number</u>	<u>Decision</u>
06-11273 (Ronald Combs)	Accept Agreed Order placing Respondent's certificate on probation for a period of three (3) years beginning from the date of acceptance of the agreed order by the Board and admonishing Respondent for fraudulent conduct. The Code of Ethics demands that an educator strive toward excellence and recognize the importance of the pursuit of truth. Respondent's behavior is an affront to that tenet and the Board will not tolerate any further acts of misconduct. Respondent's certificate and any future endorsements or new areas of certification, 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. Respondent shall complete twelve (12) hours of professional development/training in the areas of ethics as approved by the Board by July 1, 2007. Any expense for the professional development/training shall be paid by Respondent.

2. On or before January 1 of each year of the probationary period, Respondent shall present written evidence to the Board that he has completed fifteen (15) hours of community service as approved by the Board for a total of forty-five (45) hours of community service during the probation period.

3. Respondent shall not participate in any school related testing activities during the probationary period. On or before May 1 of each year of the probationary period, Respondent shall supply an affidavit to the Board witnessed by the principal of the school in which he is working that he did not administer, supervise, proctor,

or participate in anyway with any state mandated testing. If he is not working in a school, Respondent

shall supply the Board an affidavit stating that he is not working and therefore did not participate in testing.

By entering into this agreement, Respondent agrees that should he fail to satisfy either of these conditions, his certificate shall automatically be suspended for a period of one (1) year.

Respondent is aware that should he violate KRS 161.120 during this period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

06-07199 (Michael Shane Sims) Accept Agreed Order dismissing Respondent's case without prejudice upon the condition that Respondent provides written proof to the Board that he has received six (6) hours of professional development/training in the areas of supervision and classroom management for children with learning disabilities and behavioral problems, as approved by the Board, no later than August 31, 2007. This

additional six (6) hours of professional development shall be in addition to any professional development training required by statute or employment in a school district. 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 condition. In addition, his certificate will not be dismissed without prejudice but shall be recorded as a suspension of his certificate.

**Vote:** *Unanimous*

05-06110 (Lisa Thornton)

Accept Agreed Order admonishing Respondent for her failure to disclose that she was forced to resign from a prior teaching position due to a felony criminal diversion agreement on her applications for certification. The Board trusts the members of its

profession to act with honesty and integrity, not only in the classroom, but in all professional dealings.

Respondent's certificate and any future endorsements or new areas of certification, shall be subject to the following probationary conditions.

1. On or before January 1, 2008, Respondent shall present written evidence to the Board that she has completed fifty (50) hours of community service approved by the Board.
2. Respondent shall disclose her resignation from the Vinton County Local School District and that she was forced to resign pursuant to a diversion agreement on any and all future applications for employment for any position requiring certification. She shall also disclose her resignation on any and all future applications for certification, rank change, and/or certificate renewal.
3. Respondent shall not apply and shall not be issued any further teaching or administrative certifications and/or endorsements through January 1, 2008. Respondent may apply for a

Rank change prior to January 1, 2008 if she has met the statutory requirements.

By entering into this agreement, Respondent agrees that should she fail to satisfy either of these conditions, her certificate shall automatically be suspended for a period of two years and if applicable, her application for certification denied.

Respondent is aware that should she violate KRS 161.120 during this period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

06-08201 (Alicia Guerra)

Accept Agreed Order admonishing Respondent for responding inappropriately to student misbehavior. Verbal threats and physical intimidation have no place in any learning environment. Respondent must remember that as a professional educator she must treat every student with dignity and respect no matter the circumstances.

This agreement is conditioned upon Respondent providing written proof to the Board, on or before August 15, 2007, that she has successfully completed three hours of Administrative Code Training approved by the Board. Should Respondent fail to satisfy this

condition, her certificate shall be suspended until this condition is met.

**Vote:** *Unanimous*

05-11217 (Roberta Steder)

Accept Agreed Order dismissing case number 05-11217 without prejudice. Respondent agrees that should the Board receive any future reports that she has engaged in fiscal mismanagement, the Board may reopen this case and pursue charges in addition to those warranted by the new allegations.

**Vote:** *Unanimous*

06-06174 (Robert Glass)

Accept Agreed Order placing Respondent's certificate and any future endorsements or new areas of certification on probation for a period of

two (2) years from the date of acceptance of this Order by the Board.

1. Respondent shall complete twelve (12) hours of ethics training prior to July 31, 2007. Any expense for required training shall be born by Respondent.

2. Respondent shall complete a three (3) hour course in Administrative Code Testing provided by the Kentucky Department of Education prior to July 31, 2007. Any expense for required training shall be born by the Respondent.

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

By entering into this Agreed Order, Respondent agrees that should he fail to satisfy any of these conditions, his certificate shall be automatically suspended for a period of one (1) year. If applicable, at the conclusion of the one year suspension, his certificate shall remain suspended until such time as conditions 1 and 2 are met.

Respondent is aware that should he violate KRS 161.120 either during or following this two (2) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

06-08218 (Kenneth E. Dunn) Accept Agreed Order permanently 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, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601. From the date of acceptance of this Order by the Board, Respondent shall neither apply nor be issued a teaching certificate in the Commonwealth of Kentucky.

**Vote:** *Unanimous*

02-0101 (Jimmie Radford) Accept Agreed Order suspending Respondent's certificate, including any and all endorsements, for

a period of two years beginning August 1, 2001. 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.

**Vote:** *Unanimous*

05-07118 (Alicia Barnes-Davis) Accept Agreed Order admonishing respondent for failing to make reasonable efforts to communicate with parents regarding student performance and for making inappropriate and unprofessional comments to students. As a certified educator, Respondent must strive to uphold the responsibilities of her profession. She must follow school policies with regard to grading and communication and treat each and every parent and student with dignity and respect.

This agreement is conditioned upon Respondent providing written evidence to the Board, on or before August 15, 2007, that she has completed twelve hours of professional development/training, approved by the Board, in effective classroom management techniques. Any expense for this professional development/training shall be paid by Respondent. If Respondent fails to satisfy this condition, her certificate shall be suspended until this condition is met.

**Vote:** *Unanimous*

06-06166 (Arezka Mitchell-Collins) Accept Agreed Order suspending Respondent's certificate for a period of one (1) year retroactive to March 24, 2006. During the one (1) year suspension period, Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky. Respondent shall surrender the original certificate and all copies to EPSB by hand-deliver or mailing to 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601.

In addition to any educational requirements, re-issuance of Respondent's teaching certificate at the conclusion of the one (1) year period is expressly conditioned upon Respondent providing written

evidence to the board that she has complied with the following:

1. Respondent shall complete twelve (12) hours of ethics training. Any expense for required training shall be born by Respondent.
2. Prior to reinstatement, Respondent shall supply the Board with a report from a licensed and Board-approved alcohol/substance abuse counseling program that she has been assessed and complied with all recommended treatment. Any expense for said assessment and treatment shall be born by the Respondent.
3. Prior to reinstatement, 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.
4. Prior to reinstatement, 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 Kentkcy teaching certificate at the conclusion of the one (1) year 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 her employment supervisor as to her progress during the entire probationary period.
2. 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 his 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, her



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

**Vote:** *Unanimous*

05-11200 (Jim Dorton)

Accept Agreed Order admonishing Respondent for his failure to disclose a felony conviction on his application for certification. The Board trusts the members of its profession to act with honesty and integrity, not only in the classroom, but in all professional dealings.

Respondent's certificate shall be subject to the following probationary conditions.

1. On or before August 1, 2007, Respondent shall present written evidence to the Board that he has completed fifty hours of community service approved by the Board.

2. Respondent shall disclose his criminal conviction on any and all future applications for employment for any position requiring certification. He shall also disclose his conviction on any and all future applications for certification, rank change, and/or certificate renewal.

3. Respondent may not apply and will not be issued any additional areas of certification and/or endorsements until June 30, 2008. Respondent may apply for and be issued a Rank change if he has met all the statutory requirements.

By entering into this agreement, Respondent agrees that should he fail to satisfy any of these conditions, his certificate shall automatically be suspended for a period of two years and if applicable, his application for certification denied.

Respondent is aware that should he violate KRS 161.120 during this period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

06-0477 (Greggory Simoneaux) Accept Agreed Order revoking Respondent's certificate for a period of ten (10) 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 ten (10) 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 for the program shall be paid by Respondent.

**Vote:** *Unanimous*

### **Findings of Fact, Conclusions of Law and Recommended Orders**

*Consideration of the following matter took place with attorneys Alicia A. Sneed and Gary A. Stephens out of the room.*

#### **Case Number**

#### **Decision**

05-09180 (Norton Fleming)	Adopt the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Order and issue a Final Order dismissing the case against Respondent.
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**Vote:** *Unanimous*

*Motion made by Ms. Gregory, seconded by Mr. Anderson, to adjourn the meeting.*

**Vote:** *Unanimous*

Meeting adjourned at 3:15 p.m.

Next Meeting: June 18, 2007; 9:00 AM; Marriott Hurstbourne; Louisville, Kentucky

