

The actions delineated below were taken in open session of the EPSB at the November 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
November 19, 2007**

Members Present:

Jim Cibulka
Frank Cheatham
Lydia Coffey
Steve Schenck (for Kevin Noland)
John DeAtley (for Brad Cowgill)
Sam Evans
Jennifer Forgy
Rebecca Goss
Kent Juett
Rita Presley
Zenaida Smith
Tom Stull
Lorraine Williams

Members Absent:

Lonnie Anderson
Kristin Gregory
Allan Paul
Cynthia York

Call to Order

Chairman Jim Cibulka convened the meeting at 9:05 a.m. EST.

Amendment of the November 17, 2007 Agenda

Motion made by Dr. Frank Cheatham, seconded by Mr. Kent Juett, to amend the November 17, 2007 agenda to add Action Item E, 16 KAR 7:010. Kentucky Teacher Internship Program (KTIP) Appeal, Mr. Paul Shannonhouse.

Vote: *Unanimous*

Approval of October 22, 2007 Minutes

Motion made by Ms. Lorraine Williams, seconded by Ms. Rebecca Goss, to approve the October 22, 2007 minutes.

Vote: *Unanimous*

Open Speak

There were no requests for Open Speak.

Report of the Executive Director

Report from the Kentucky Department of Education (KDE)

Mr. Steve Schenck notified the board that the Kentucky Board of Education intends to select a new commissioner on Sunday, November 25th.

He further reported that the KDE has partnered with the CEO Superintendent Network and utilized the Wallace Grant to improve Professional Learning Communities. He stated that every school should have a Professional Learning Community where teachers discuss their students' work with other professionals during the school day.

Additionally, Mr. Schenck reported that the KDE received helpful interim assessments at schools which should give teachers the ability to accurately determine the educational level of their students. He stated that the KDE staff members are encouraged how both Professional Learning Communities and interim assessments can work together so well to produce a positive outcome.

Report from the Council on Postsecondary Education

Mr. John DeAtley reported that the CPE recently completed its budget preparation process which took several months. He provided the board with the booklet *Double the Numbers*, prepared by CPE staff, which describes the strategy of doubling the number of Kentuckians with a bachelor's degree by 2020 and is the basis for the budget request. He further informed the board that the CPE will soon publish *Funding the Numbers*, a detailed description of the CPE's budget request.

Blue Ribbon Schools Recognition

Dr. Rogers recognized the Blue Ribbon Schools in Kentucky.

Legislative Update

Ms. Alicia Sneed informed the board that the greatest challenge of the upcoming legislative session will be to approve a state budget. She reviewed 19 pre-filed bills that may affect the EPSB although the EPSB is not named in any of the pre-filed bills. Ms. Marcie Lowe will update the board with a tracking sheet when the General Assembly convenes in January.

Report of the Chair

Additional Appointments to the Task Force for Preparation of Math Teachers

Chairman Jim Cibulka made the following additional appointments to the Task Force for the Preparation of Math Teachers: Ms. Melanie Curlin, Mr. Bryan Edwards, Ms. Linda Klembara, Ms. Leslie Robertson, and Ms. Brenda Scruggs.

Committee Reports

Report from the Continuing Education Option Task Force (CEO)

Dr. Sam Evans reported that the Continuing Education Option (CEO) task force met on October 24th to answer questions pertaining to the CEO.

1) Is the current CEO aligned with the statute? Should it be used for achieving Rank I certification?

The committee agreed that the CEO is not completely aligned with the statute. According to the statute, the CEO may be used to receive Rank I and Rank II.

2) Should the CEO include university courses?

Currently, CEO participants are not required to take university courses. This is a misalignment with statute, because the statute requires CEO participants to take university courses.

3) Is the EPSB implementing an assessment process that is valid and reliable?

The committee agreed that the current scoring process is not reliable.

4) Is the current CEO program accomplishing its required objectives?

The committee agreed that the current CEO program is accomplishing its required objectives.

5) Should CEO program be moved to universities?

The committee felt that there needed to be more discussion with this question.

6) Should enrollment be suspended for the CEO until further changes can be made?

Yes, the committee recommended that the CEO be suspended until further changes are made to the CEO.

2007-116

Motion made by Dr. Sam Evans, seconded by Ms. Lydia Coffey, to suspend admission to the Continuing Education Option program until the committee can address the raised issues.

Vote: *Unanimous*

Information/Discussion Items

16 KAR 7:010. Kentucky Teacher Internship Program, Amendment, Notice of Intent

In October 2002, the United States Department of Education (USDOE) awarded the EPSB a grant to develop the Teacher Performance Assessment (TPA). In June 2006, the board adopted the TPA. Ms. Cindy Owen discussed the proposed changes to the TPA regulation along with proposed changes to the TPA Intern Performance Record. Ms. Alicia Sneed informed the board that the current IPR does not provide evidence that is needed if an intern appeals a decision. For this reason, proposed changes were made to the IPR for clarification. This item will be brought back in January for final action.

EPSB Waiver Process

Ms. Sneed reported that during the last board meeting, questions arose regarding the consistency of the board's current waiver process. She stated that the EPSB staff proposes to add this item on the winter retreat agenda. Dr. Jim Cibulka asked Ms. Sneed to present a suggested waiver framework to the board at the winter retreat.

Action Items

EPSB Procedure Manual Amendment: Disciplinary Changes

2007-117

Motion made by Dr. Sam Evans, seconded by Ms. Jennifer Forgy, to approve the proposed amendments to the EPSB's Determining Probable Cause to Take Disciplinary Action Procedure contained in the EPSB's Policy and Procedure Manual.

Vote: *Unanimous*

EPSB Procedure Manual Amendment: Cut Score Framework

2007-118

Motion made by Ms. Zenaida Smith, seconded by Ms. Lorraine Williams, to approve the recommended Cut Score Framework as follows:

Accept the recommendation of the validation panel if it is between the 15th – 25th percentiles, inclusive; greater than or equal to the current cut score; and comparable to the SREB average cut score. This framework shall also be included in the Education Professional Standards Board Procedure Manual and routine application.

Vote: *Unanimous*

Approval of Contracts

2007-119

Motion made by Ms. Smith, seconded by Ms. Jennifer Forgy, to authorize the executive director to issue a Request for Proposal (RFP) for National Board mentoring services and enter into all of the contracts awarded from that RFP.

Vote: *Unanimous*

Indiana Wesleyan University Letter of Intent

2007-120

Motion made by Mr. John DeAtley, seconded by Dr. Frank Cheatham, to grant IWU's request to pursue accreditation as a Kentucky institution only at the Louisville campus in a traditional face-to-face delivery system. IWU may offer the Master of Education and Rank I programs. The board is only approving the Letter of Intent. The revised organizational chart shall be resubmitted to the EPSB within 10 working days.

Vote: *Yes – 11*

Abstain – 1 (Lorraine Williams)

No – 1 (Sam Evans)

16 KAR 7:010. Kentucky Teacher Internship Program (KTIP) Appeal, Mr. Paul Shannonhouse

2007-121

Motion made by Ms. Lydia Coffey, seconded by Ms. Jennifer Forgy, to approve the Appeals Committee recommendation. The decision of unsuccessful by the intern committee is not upheld. The Division of Certification shall issue the appropriate certificate to Mr. Paul Shannonhouse pursuant to 16 KAR 7:010 Section 9(5).

Vote: *Unanimous*

Alternative Route to Certification Application

Ms. Patricia Bingham, Adjunct for Dance, Grades P-12

2007-122

Motion made by Ms. Coffey, seconded by Mr. Tom Stull, to approve the alternative route to certification application for Ms. Patricia Bingham.

Vote: *Yes – 12*

Abstain – 1 (Jennifer Forgy)

Board Comments

Chairman Cibulka asked board members to notify him if interested in developing the winter and/or summer retreat agenda. Current board members who agreed to serve on the committee to develop the summer retreat agenda were Ms. Jennifer Forgy, Ms. Rebecca Goss, Ms. Lorraine Williams, and Dr. Jim Cibulka. Ms. Ashley Abshire will contact Chairman Cibulka about potential summer retreat locations in Lexington.

DISCIPLINARY MATTERS: MINUTES OF CASE REVIEW November 19, 2007

Motion made by Dr. Sam Evans, 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 Ms. Lydia Coffey, seconded by Ms. Rebecca Goss, 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, Kent Juett, Sam Evans, Lorraine Williams, Jennifer Forgy, James Cibulka, Frank Cheatham, Lydia Coffey, Rebecca Goss, Rita Pressley, and John DeAtley.

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

2007-123

Motion made by Dr. Sam Evans, seconded by Mr. Tom Stull, to give the executive directory a satisfactory evaluation for the 2007 year and allow him to receive due compensation.

Vote: *Unanimous*

INITIAL CASE REVIEW

<u>Case Number</u>	<u>Decision</u>
07-08140	Defer for proof (<i>Ms. Pressley, recused</i>)
07-08151	Admonish
07-08150	Admonish (<i>Mr. Stull, recused</i>)
07-08149	Admonish (<i>Mr. Stull, recused</i>)
07-09160	Admonish
07-09164	Defer for proof
07-09161	Hear
07-08146	Admonish (<i>Ms. Coffey, recused</i>)
07-08154	Hear
07-08152	Hear
07-09159	Hear
07-09156	Hear
07-07139	Hear
07-08148	Hear
07-09155	Hear
07-0478	Dismiss Without Prejudice
07-09165	Hear
07-09158	Hear
07-09173	Hear
05-0234	Dismiss Without Prejudice

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
071629	Approve
071848	Approve
071946	Approve
071944	Approve
071943	Approve
071804	Approve
06-004	Approve
072185	Approve
071703	Defer

Agreed Orders

<u>Case Number</u>	<u>Decision</u>
05-08151 (Russell Morgan)	Accept Agreed Order permanently revoking Respondent's certificate. Respondent shall neither

seek, reapply or be issued a Kentucky Teaching Certificate, emergency substitute certificate or emergency certificate permanently. 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*

07-0352 (Larry Suba)

Accept Agreed Order permanently revoking Respondent's certificate. 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 to EPSB, by hand delivery or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky, 40601.

Vote: *Unanimous*

06-08209 (Timothy Boggs)

Accept Agreed Order dismissing Respondent's case based on the following conditions:

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

2. Respondent shall be assessed for anger management issues prior to July 31, 2008 and follow through with any treatment recommendations with a provider approved by the Board. Any expense incurred for the assessment or counseling shall be born by the Respondent.

3. Respondent shall complete a Board-approved course in Classroom Management with a focus on de-escalating violent situations prior to July 31, 2008. Any expense for required training shall be born by Respondent.

Upon receiving written proof that Respondent has completed each of the aforementioned terms, the Board will dismiss Case Number 06-08209.

Vote: *Unanimous*

05-10185 (Stephanie Wall) Accept Agreed Order admonishing Respondent as follows: Teachers must be aware during the instructional day their personal friendships are not to interfere with the supervision or instruction of students. Educating students is the first priority of any classroom teacher.

Vote: *Unanimous*

06-09246 (Anthony Graves) 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, 3rd 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*

06-05129 (Martha Sanford) Accept Agreed Order dismissing Respondent's case without prejudice.

Respondent agrees that prior to returning to a certified teaching position, she will present written proof to the Board that she has successfully completed six hours of training, approved by the Board and at her own expense, in the areas of effective classroom management and discipline techniques. Should the Board learn that Respondent has violated this condition, it shall automatically suspend Respondent's certificate for one year with reinstatement conditioned upon successful completion of training.

Vote: *Unanimous*

06-08214 (Larry Stivers) Accept Agreed Order admonishing Respondent for using inappropriate techniques to discipline a student. The Board reminds Respondent that he has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students.

The Board will not tolerate any further incidents of misconduct from Respondent.

This settlement agreement is expressly conditioned upon Respondent providing written proof to the Board that he has received twelve (12) hours of professional development/training in professional ethics and appropriate classroom management/discipline, as approved by the Board, no later than July 1, 2008. 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 Respondent provides written proof to the Board that he has completed the conditions.

Vote: *Unanimous*

05-09175 (Joseph Pillow)

Accept Agreed Order admonishing Respondent as follows: Teachers must be aware during the instructional day their personal friendships are not to interfere with the supervision or instruction of students. Educating students is the first priority of any classroom teacher.

Vote: *Unanimous*

06-06171 (Spencer Jones)

Accept Agreed Order permanently revoking Respondent's certificate. Respondent shall neither apply nor be issued a teaching certificate, nor shall any person or district apply or be issued a teaching certificate on his behalf, in the Commonwealth of Kentucky for his lifetime.

Vote: *Unanimous*

CF #07-104 (Aretha Drake)

Petitioner's application for certification shall be approved subject to the following probationary conditions for a period of two (2) years:

1. Petitioner shall receive no disciplinary action by any school in the United States. The parties agree that "disciplinary action" is defined as any admonishment, reprimand, suspension, or termination issued by any school district in the Commonwealth of Kentucky and upheld by either the tribunal and/or arbitration process.

2. Petitioner shall have no criminal convictions during the two (2) year probationary period. Petitioner agrees that should she fail to satisfy these conditions during the probationary period, her certificate shall be automatically suspended for a period of one (1) year. Petitioner is also 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*

06-07194 (Benita Donaldson) Accept Agreed Order suspending Respondent's certificate for a period of five (5) days effective December 24, 2007. During the five (5) 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. 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 complete twelve (12) hours of ethics training prior to July 31, 2008. Any expense for required training shall be born by the Respondent.
2. Respondent shall complete a Board approved professional development course in appropriate fiscal management of school funds prior to July 31, 2008. Any expense for required training shall be born by the Respondent.
3. Respondent shall receive no further disciplinary action by any school district in the United States including, but not limited to, admonishment, reprimand, suspension or termination.

By entering into this Agreed Order, Respondent agrees that should she fail to satisfy any of these conditions during the probationary period, her certificate shall be automatically suspended for an additional period of one (1) year. If applicable, at

the conclusion of the one year suspension, Respondent's certificate shall remain suspended until such time as the probationary conditions are met.

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

Vote: *Unanimous*

05-0130 (Carin Hornung)

Accept Agreed Order requiring Respondent to complete and supply proof to the Board of twelve (12) hours of professional development in the area of anger management by June 30, 2008. Failure to comply with said requirement will result in suspension of Respondent's teaching certificate until this requirement has been met.

Vote: *Unanimous*

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

Vote: *Unanimous*

Meeting adjourned at 3:15 p.m.

Next Meeting: January 14, 2008
 9:00 AM
 EPSB Board Room
 Frankfort, Kentucky

