

The actions delineated below were taken in open session of the EPSB at the October 22, 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
October 22, 2007**

Members Present:

Lonnie Anderson
Jim Cibulka
Lydia Coffey
Michael Dailey (for Kevin Noland)
John DeAtley (for Brad Cowgill)
Sam Evans
Jennifer Forgy
Rebecca Goss
Kristin Gregory
Kent Juett
Allan Paul
Rita Presley
Tom Stull
Lorraine Williams
Cynthia York

Members Absent:

Frank Cheatham
Zenaida Smith

Call to Order

Chairman Jim Cibulka convened the meeting at 9:05 a.m. EDT. He acknowledged and thanked Tom Stull for his exceptional work as board chair for the last two years. Mr. Stull received a standing ovation.

Approval of September 24, 2007 Minutes

Motion made by Ms. Lydia Coffey, seconded by Ms. Kristin Gregory, to approve the September 24, 2007 minutes.

Vote: *Unanimous*

Open Speak

Dr. Patricia Franklin

Dr. Patricia Franklin informed the board of the actions IWU representatives have taken to effectively remediate all expressed concerns that were delineated by the board. These actions included terminating the contract for elective courses with Performance Learning Systems and Canter, placing a moratorium on Kentucky student enrollment, ceasing marketing in Kentucky, and correcting the IWU website. Dr. Franklin stated that IWU

representatives hope these actions demonstrate their willingness to examine and correct themselves in sustained efforts to provide only the highest standards and the best of practices for candidates and P-12 students.

Dr. Franklin further informed the board that IWU plans to send a Letter of Intent to Dr. Marilyn Troupe and anticipates it will be placed on the November 19, 2007 EPSB meeting agenda.

Ms. Amy Hammond

On behalf of Cohort SM6AT, Ms. Amy Hammond asked the board to extend the timeline that Midway students have to complete the School for Career Development program by at least three months to allow her cohort to graduate. Ms. Hammond expressed the hardship that would be caused to many students if they are required to transfer to another institution.

Ms. Mehgan Hoover

Ms. Mehgan Hoover spoke on behalf of her cohort which is scheduled to graduate in December 2009. She stated that her cohort has a strong desire to become educators, and the board's decision on the Midway waiver at the October meeting will change their lives forever. She asked the board to please consider the Midway waiver request on the October EPSB agenda.

Toni Wilkinson

Ms. Toni Wilkinson spoke on behalf of her cohort, MC6BT. She stated that she and her cohort agreed with the Board of Examiners and Accreditation Audit Committee Midway accreditation visit findings as they have experienced firsthand some of the shortcomings cited as areas of improvement.

Mr. Steven Barker and Dr. William Drake

Addressing the board, President Drake affirmed his belief in the quality of Midway's education program at all sites and all places. He stated that Midway is appealing the Board's decision to revoke accreditation for the School for Career Development (SCD) and asked the board to consider Midway's waiver request for the students in the SCD program.

Report of the Executive Director

Report of the Chair

Dr. Phillip Rogers reported that EPSB staff raised \$8,924.30 for the Kentucky Employees Charitable Campaign, 18% over its goal. He expressed how proud he was of staff members for their generous contributions.

Additionally, Dr. Rogers reported that Associated Press articles have recently been published describing teacher sexual misconduct disciplinary cases nationally and in Kentucky. He thanked the board for their dedication and hard work on these disciplinary cases.

Mr. Mike Carr gave a Local Educator Assignment Data (LEAD) Report Update. The LEAD report identifies all teachers/administrators who hold only a Statement of

Eligibility (i.e., not certified), are out of grade range, are not certified, have an expired certificate, are out of field, and/or are only properly certified a portion of the year. There are three components to obtain this data: the schedule from the STI (KDE's/school districts' student and personnel reporting system) or Infinite Campus, the MUNIS database, and the EPSB certification database.

Due to problems transitioning from STI to Infinite Campus, Jefferson County Public Schools will not be able to provide the STI data to the EPSB. Thus far, EPSB staff has received MUNIS data for only three districts. Mr. Carr stated that the EPSB needs to receive the MUNIS data from the Kentucky Department of Education as soon as possible.

Because of the delay in receiving necessary data, the ESPB has extended the sign off date for the LEAD report from October 22nd to October 29th. The statutory deadline for the commissioner of education to receive the LEAD report is November 15th of each year.

Report from the Kentucky Department of Education (KDE)

There was no report from the KDE.

Report from the Council on Postsecondary Education (CPE)

There was no report from the CPE.

Report of the Chair

Dr. Jim Cibulka appointed the following individuals to the task force for the preparation of math teachers:

Ms. Anita Barnes, Ms. Ann Bartosh, Dr. Fariba Bigdeli-Jahed, Ms. Janet Castle, Ms. Christy Drury, Mr. John DeAtley, Ms. Barbara Ledford, Dr. Rich Millman, Dr. Steve Newman, Dr. Janet Parker, Dr. Manish Sharma, and Dr. John Yopp

Chairman Cibulka made the following Kentucky Advisory Council on Internships (KACI) Reappointments:

Sharon Brennan, Richard Roberts, Norma Patrick, Shirley Blair

Mr. Kent Juett asked for more teachers, particularly high school teachers, to serve on the task force for the preparation of math teachers. Dr. Rogers said that staff will bring back recommendations for additional appointments to the task force in November. Dr. Cibulka welcomed recommendations from the board for appointments to the committee.

Committee Reports

There were no committee reports.

Information/Discussion Items

EPSB Procedure Manual Amendment: Disciplinary Changes

Ms. Sneed explained that since May 2007, legal staff has piloted a new probable cause decision in disciplinary cases to defer Respondents for training when the evidence presented indicates that the Respondent would benefit from remedial training. This option offers the Respondent the chance to finalize his or her disciplinary matter in an efficient manner without an admission or finding of any wrongdoing. She stated that the EPSB can utilize this fourth option when the misconduct in the allegations is not serious enough to warrant suspension and the evidence is not clear that the misconduct did indeed take place.

Additionally, Ms. Sneed asked the board to consider combining the two separate designations for dismissal: dismiss (with prejudice) and dismiss without prejudice. Board members agreed to combine the two types of dismissals currently used into one probable cause determination so that past complaints may be used in any future disciplinary hearing. Ms. Sneed will bring this item back during the November 19, 2007 EPSB meeting for final action.

EPSB Procedure Manual Amendment: Cut Score Framework

Ms. Cindy Owen reported that staff wants to formalize the cut score recommendation process by adopting a policy using the decision rules applied since May 1999. These decision rules are as follows:

Accept the recommendation of the validation panel unless:

- 1) the recommendation falls below the current passing score, or
- 2) the recommendation falls below the SREB average, or
- 3) the recommendation and SREB score fall below the 15th national percentile, or
- 4) the recommendation exceeds the 25th national percentile

Ms. Owen stated that she will bring this item back during the November 19, 2007 EPSB meeting for final action. Dr. Cibulka asked EPSB staff to provide the board with national and regional descriptive information at the time a cut score is recommended.

Elimination of the Use of the HOUSSE in Kentucky

Mr. Carr informed the board that the USDOE is strongly encouraging states to phase out HOUSSE as soon as possible. Therefore, in the most recent No Child Left Behind (NCLB) plan submitted to the USDOE by the Kentucky Department of Education, the state committed to discussing the phaseout of the HOUSSE Index by bringing the item for consideration before the EPSB. Mr. Carr explained that the HOUSSE Index was originally adopted to allow veteran teachers to demonstrate Highly Qualified Teacher (HQT) status in cases where the teachers' date of certification preceded the state requirement for a content area assessment or to determine HQT status for K-8 certified teachers.

Discussion ensued among board members about the impact on teachers if the HOUSSE Index is eliminated. Mr. Carr stated that eliminating HOUSSE would not mean that those currently qualified would no longer be qualified. HOUSSE would still be used with teachers teaching multiple subjects in special education and those in eligible rural districts, as defined by the USDOE.

2007-107

Motion made by Ms. Rita Presley, seconded by Mr. Lonnie Anderson, to not change the use of the HOUSSE Index until further guidance from the federal government.

Vote: *Unanimous*

ELR Report

Dr. Phillip Rogers informed board members that he is scheduled to present the Education Leadership Redesign report to the Interim Joint Committee on Education on November 5, 2007. This committee has also asked him to discuss the Master's Redesign and Kentucky Teacher Internship Program. He will bring back a plan in January on how the EPSB's regulations and accreditation process fit with the principal preparation redesign.

Awarded Contract

Mr. Gary Freeland informed the board that the following contracts were completed and signed by the executive director after approval was given by the board at the September 24, 2007 EPSB meeting:

SREB for consulting services: \$20,000.00

Jason Rothrock for legal services: \$25,000.00

Action Items

Approval of Contracts

2007-108

Motion made by Dr. Sam Evans, seconded by Ms. Gregory, to approve the Memorandum of Agreement between the EPSB and Kentucky Education Higher Assistance Authority.

Vote: *Unanimous*

EPSB Biennial Budget Request

Mr. Gary Freeland reviewed the biennial budget request with the board. Discussion ensued, primarily focusing on the discrepancy in figures between the information the board received by mail and the new information distributed during the meeting. Mr. Freeland explained that the differences in the numbers were due to the completion of the reconciliation of the former budget after the agenda book was mailed to board members.

Mr. Freeland noted that the Kentucky Teacher Internship Program and Kentucky Principal Internship Program were assigned high priority numbers with the Education Cabinet, but the other seven EPSB requests were ranked low priority on the Education Cabinet's operating budget request. Board members expressed their concerns that several of the requests were ranked low priority. Mr. Freeland explained that this was due to other needy agencies that had higher priorities. On a positive note, Dr. Rogers stated that no other state agency had three budget requests ranked in the top ten. Mr. Freeland thanked Ms. Velma Graves for her hard work and assistance with the budget.

2007-109

Motion made by Ms. Lorraine Williams, seconded by Mr. Lonnie Anderson, to approve the 2009 – 2010 EPSB Biennial Budget Request.

Vote: *Unanimous*

2008 Legislative Agenda

Ms. Alicia Sneed reviewed the proposed 2008 legislative agenda. She noted that an additional proposed legislative agenda item was added (item # 5 below). The EPSB 2008 legislative agenda was recommended as follows:

- 1) Support a fiscal year 2008 budget increase to the Kentucky Teacher Internship Program (KTIP) to secure appropriate funding for the 2007 – 2008 interns.
- 2) Support the EPSB's 2008-2010 budget request including a request to designate KTIP as a necessary governmental expense to ensure future funding for the program, no matter the number of interns.
- 3) Amend KRS 161.048(6), the Troops to Teachers alternative certification route, so that it is in line with the federal authorizing statute. This change will allow veterans with extensive National Guard or reserve duty to participate in this alternative certification route.
- 4) Oppose any attempt to dilute or modify the current authority of the EPSB.
- 5) Support any legislation which further supports the EPSB's mission and goals.

2007-110

Motion made by Mr. Kent Juett, seconded by Ms. Cynthia York, to approve the 2008 Legislative Agenda as amended.

Vote: *Unanimous*

Waivers

Exceptional Children Assignment Waivers

Mr. Mike Carr reported that an exceptional children assignment waiver policy, approved in May 2000, was recently discovered. In this policy, exceptional children assignment waivers are not be brought before the board unless the school district superintendent appeals the EPSB staff's decision. Mr. Carr notified the board that he intends to follow this policy.

2007-111

Motion made by Ms. Lydia Coffey, seconded by Ms. Presley, to approve the exceptional children assignment waivers.

Vote: *Unanimous*

16 KAR 3:050. Request to Waive Teaching Experience for Administrative Certification- Mr. John Michael Hardesty

Mr. Carr reported that Mr. John Michael Hardesty completed the principal preparation program at Spalding University in 2006, and the EPSB received a recommendation for a statement of eligibility as well as transcripts showing coursework completion and validation of the successful passage of assessments needed for this credential. These materials were returned to Spalding because Mr. Hardesty did not meet the teaching experience requirement. Mr. Hardesty asserts that Spalding admitted him to its principal preparation program under the understanding that he would gain his credential via the alternative certification route; however, Spalding is not approved for such program. Dr. Veda McClain verified that this situation did occur.

Motion made by Mr. Lonnie Anderson, seconded by Ms. Lorraine Williams, to deny the waiver request.

Discussion ensued. Some board members stated that they believe it is important to have teaching experience before working in administration. Mr. Carr reminded the board that under the alternative route to a certificate in administration, teaching experience is not required by statute.

Vote: *Yes- 3 (Mr. Lonnie Anderson, Ms. Lorraine Williams, Mr. Allan Paul)
No-12*

Motion failed.

2007-112

Motion made by Ms. Jennifer Forgy, seconded by Mr. Kent Juett, to waive the requirement for three years of teaching experience for principal certification.

Vote: *Yes- 12
No- 2 (Mr. Lonnie Anderson, Mr. Allan Paul)
Abstain- 1 (Dr. Sam Evans)*

The board discussed revisiting the alternative certification route for administrators. Mr. Carr agreed to research the number of individuals who obtain an administrative certificate through the alternative route and bring this information back to the board.

16 KAR 5:040. Request to Waive Cooperating Teacher Eligibility Requirements – Dr. Jim Cibulka on behalf of Dr. Darin Craig Schroeder

2007-113

Motion made by Mr. John DeAtley, seconded by Ms. Jennifer Forgy, to waive the cooperating teacher eligibility requirements for Dr. Darin Craig Schroeder for spring 2008.

Vote: Yes -14

Recuse- 1 (Dr. Jim Cibulka)

16 KAR 5:010. Request to Waive the Standards for Accreditation of Educator Preparation Units and Approval of Programs – Midway College (item discussed after Information Item E on the agenda)

Ms. Alicia Sneed reported that on September 24, 2007, the EPSB voted to revoke accreditation for the School for Career Development (SCD) at Midway College. As a result of this action, SCD students must complete the Midway SCD program within 12 months or transfer to another state-accredited education preparation unit in order to receive their certificates. Midway College is requesting a waiver of 16 KAR 5:010 Section 19(5)(a) to extend the time students are allowed to complete the program to which they are currently admitted. Further clarification from President Drake advised the EPSB that Midway wishes to extend this date from September 26, 2008 to December 31, 2010.

Ms. Sneed further reported that Midway College questions the inclusion of the evening campus program and the online program as part of the original accreditation decision dated November 16, 2005.

Discussion ensued among board members regarding the requested waiver extension date. Board members empathized with the Midway students.

2007-114

Motion made by Ms. Lydia Coffey, seconded by Mr. Allan Paul, to extend the time limit for currently enrolled students in the SCD program to complete their degree to December 31, 2008. Additionally, the board clarified that its decision on September 24, 2007 to revoke accreditation for Midway College's SCD program included the Midway campus evening program and online program.

Vote: Yes- 12

No- 2 (Mr. Tom Stull, Mr. Kent Juett)

Abstain- 1 (Ms. Jennifer Forgy)

Alternative Route to Certification Application

Dr. Jean Marie Boulanger, Middle School Science, Grades 5-9

2007-115

Motion made by Ms. Kristin Gregory, seconded by Ms. Forgy, to approve the alternative route to certification application for Dr. Jean Marie Boulanger.

Vote: *Yes – 14*

No – 1 (Dr. Sam Evans)

Board Comments

During board comments, board members requested an opportunity in the future to discuss the following items:

- the EPSB waiver process
- requirement for institutions of higher education to put accreditation status in writing
- the signing of contracts between students and institutions to eliminate misinformation between the parties

Dr. Cibulka also asked for feedback from board members on how to develop the EPSB agenda. He suggested a work session on the topic. The board also asked Chairman Cibulka to send an Op-Ed piece in response to the recent AP articles to the newspapers, superintendents, and teachers, explaining in further detail the charge of the EPSB in an effort to assure the public that the EPSB is diligent in fulfilling its duties.

DISCIPLINARY MATTERS: MINUTES OF CASE REVIEW October 22, 2007

Motion made by Ms. Lydia Coffey, seconded by Ms. Kristin Gregory, 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. Lorraine Williams, seconded by Ms. Gregory, to return to open session.

Vote: *Unanimous*

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

Tom Stull, Michael Dailey, Kristin Gregory, James Cibulka, Jennifer Forgy, Cynthia York, Sam Evans, Rita Presley, Allan Paul, Rebecca Goss, Lonnie Anderson, Lydia Coffey, and Lorraine Williams.

Attorneys present were Alicia A. Sneed, Jim Ringo, and Gary A. Stephens.

INITIAL CASE REVIEW

<u>Case Number</u>	<u>Decision</u>
07-07135	Hear
07-07130	Hear
07-08141	Hear
07-08144	Admonish
07-07127	Hear
07-07137	Dismiss
07-07114	Admonish
07-07126	Hear
07-08142	Hear
07-0339	Hear
07-07132	Hear
07-07131	Hear
07-08145	Admonish
07-08143	Hear
97-0137	Defer
05-08157	Hear
05-11220	Admonish
06-09237	Defer for proof
04-09116	Dismiss Without Prejudice
06-05108	Hear
06-0238	Admonish
06-0226	Admonish
06-08206	Dismiss

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
07-157	Approve
07-156	Approve
06-248	Approve
07-159	Approve
07-161	Approve
07-160	Approve
07-162	Approve
07-163	Approve
07-164	Approve
07-165	Approve

07-166

Approve

Agreed Orders

Case Number

Decision

06-11256 (Buffy House)

Accept Agreed Order suspending Respondent's certificate for a period of six (6) months retroactive to October 23, 2006. During the six (6) month suspension period, Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky. Respondent shall surrender the original certificate and all copies to EPSB, by hand-delivery or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky, 40601.

In addition to any educational requirements, re-issuance of Respondent's teaching certificate at the conclusion of the six (6) month period is expressly conditioned upon Respondent providing written evidence to the Board that she has complied with the following:

1. With her application for reissuance, 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.
2. With her application for re-issuance, Respondent shall supply the Board with a current national and state criminal background check. Any expense for the criminal background check shall be born by the Respondent.
3. With her application for re-issuance, Respondent shall supply to the Board letters of recommendation from two (2) educators with current Kentucky certification in good standing in which the educators attest that Respondent is morally and ethically fit to hold a teaching certificate. Failure to meet any of the above conditions will result in Respondent being denied re-issuance of a Kentucky teaching certificate at the conclusion of the six (6) 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 complete twelve (12) hours of ethics training. Any expense for required training shall be born by the Respondent.
2. Respondent shall provide the Board with quarterly reports from her employment supervisor as to her progress during the entire probationary period.
3. Respondent shall provide the Board with monthly drug screen reports. Further, she shall immediately submit to any random screen requested either by the Board or her 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. 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.

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, the 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*

07-0465 (Necia O'Donley)

Accept Agreed Order admonishing Respondent for her failure to manage student behavior in her classroom. As a teacher, it is Respondent's responsibility to maintain a safe and positive learning environment at all times. She must make every effort to protect the health, welfare and safety of those in her care. This agreement is conditioned upon Respondent providing written proof to the Board, on or before January 1, 2008, that she has

completed six hours of professional development/training in the areas of supervision and classroom management, approved by the Board and at her own expense. Respondent agrees that should she fail to satisfy this condition, her certificate shall be automatically suspended and remain so until Respondent provides written proof to the Board that the condition is met.

Vote: *Unanimous*

06-0483 (Susan Kirkpatrick) Accept Agreed Order revoking Respondent's certificate for a period of three (3) 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 her certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

06-0482 (Melanie Taylor) Accept Agreed Order revoking Respondent's certificate for a period of three (3) 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 her certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

07-0104 (Dale Dragomir) Accept Agreed Order admonishing Respondent for physically restraining 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. As an educator, Respondent must avoid physical contact with students unless it is absolutely necessary for the safety of the students or himself. 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 been assessed by a licensed and Board approved anger

management counselor and has followed through with any recommended treatment, no later than August 1, 2008. Any expense incurred for said training shall be paid by Respondent. Respondent has provided written proof that he has complied with this condition.

Vote: *Unanimous*

06-05148 (Keri Meador)

Accept Agreed Order admonishing Respondent for a lack of professional judgment in her interactions with students. As a certified educator, Respondent must strive to uphold the responsibilities of her profession by maintaining a positive learning environment for all. She must treat each student with dignity and respect. This agreement is conditioned upon Respondent providing written evidence to the Board, on or before January 15, 2008, that she has completed twelve hours of professional development/training, approved by the Board, in professionalism and ethics. Any expense for this professional development/training shall be paid by Respondent. If Respondent fails to satisfy this condition, her certificate shall be suspended until this condition is met.

Vote: *Unanimous*

05-0590 (Jeffrey May)

Accept Agreed Order subjecting Respondent's Professional Certificate for Instructional Leadership-School Superintendent, Professional Certificate for Instructional Leadership-Supervisor of Instruction, grades k-12; Level II, and Professional Certificate for Administrator of Pupil Personnel Services, each issued as part of Respondent's certificate, to the following probationary conditions for a period of two years from the date of acceptance of this Order by the Board.

1. Respondent shall continue to comply and make progress in the areas of concern identified by the Kentucky Department of Education Management Audit conducted January 29 through February 3, 2006. A copy of that audit shall be attached hereto and maintained with this Order in the Agency Case File.

2. Upon acceptance of this Agreed Order by the Board, Respondent shall have 30 days to submit written evidence to the Board that he has verified the valid certification of each certified employee of his district. Respondent shall further verify that any employees found to be without necessary and valid certification have been removed from the classroom. By January 15 and August 15 of 2008, Respondent shall again present written evidence to the Board of valid certification of each certified employee of his district and verify removal of any uncertified personnel.

3. Respondent shall comply with all statutes and regulations promulgated by the Kentucky General Assembly, the Education Professional Standards Board, and/or the Kentucky Department of Education relating to schools and/or the teaching profession. By entering into this Agreed Order, Respondent agrees that should he fail to satisfy any of these conditions, his certificate, including all areas of certification and endorsements shall be automatically suspended for a period of one year. Respondent is aware that should he violate KRS 161.120, either during or following this two year probationary period, the Board shall initiate a new disciplinary action and seek additional sanctions.

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

05-09176 (Michael Adams) Accept Agreed Order admonishing Respondent for exercising poor judgment when interacting with a student during classroom instruction. The Board reminds Respondent that he has a duty to maintain the dignity and integrity of the profession and he failed in that duty when he overstepped the appropriate boundaries between a teacher and student by exercising poor judgment in his conversation with a student.

Vote: *Unanimous*

06-0360 (Caroline Kolb) Accept Agreed Order revoking Respondent's certificate. Respondent shall surrender the original and all copies of this certificate immediately, by first class mail or personal delivery, to the Education Professional Standards Board, 100

Airport Road, Third Floor, Frankfort, Kentucky 40601. Respondent shall neither renew nor apply for a teaching certificate in the Commonwealth of Kentucky for a period of five years from the date of acceptance of this Order by the Board. Issuance of any future certificate to Respondent, or on her behalf, is conditioned upon the following.

1. Respondent shall provide written evidence to the Board from a Kentucky licensed and/or certified physician and/or mental health professional approved by the Board, that she has undergone an anger management assessment and completed any and all treatment recommendations. Any expense for this assessment and any required counseling or treatment shall be paid by Respondent.

2. Respondent shall provide written evidence to the Board that she has successfully completed eighteen hours of classroom management training, approved by the Board, at her own expense.

Vote: *Unanimous*

06-05123 (Linda Lightfoot) Accept Agreed Order dismissing Respondent's case upon receiving written proof that Respondent has completed a Board approved training course in the statutory requirements and procedures of the juvenile justice system. Any expense for the course shall be paid by Respondent.

Vote: *Unanimous*

06-0372 (Bruce Weinfurtner) Accept Agreed Order suspending Respondent's certificate for three days beginning March 1, 2006. Respondent shall surrender the original and all copies of certificate number xxx-xx-xxxx immediately, by first class mail or personal delivery, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

06-12298 (Debra Combs) Accept Agreed Order dismissing the case without prejudice on the following conditions. Prior to her return to a position that requires Kentucky

certification, Respondent shall provide the following to the Board.

1. Written evidence from a Kentucky licensed and/or certified physician, approved by the Board that she is fit to return to the classroom.
2. Written proof of twelve hours of professional development/training approved by the Board, in effective classroom management techniques. This training shall include a component focusing on management of special education students.
3. Written proof of twelve hours of professional development/training in ethics with an emphasis on honesty and professionalism. Any expense involved in meeting these requirements shall be paid by Respondent. Should Respondent violate this agreement, her certificate shall be automatically suspended and remain so until all conditions are met.

Vote: *Unanimous*

06-12298 (Sarah Cary)

Accept Agreed Order dismissing Respondent's case upon receiving written proof that Respondent has completed a Board approved training course in the statutory requirements and procedures of the juvenile justice system. Any expense for the course shall be paid by Respondent.

Vote: *Unanimous*

07-0587 (Chad Pruitt)

Accept Agreed Order admonishing Respondent for his behavior towards a colleague. A principal is a leader in the school and in the school district; therefore, he should strive to be a role model not only for students, but for the teachers under his supervision. A principal who fails to uphold the dignity and the integrity of the profession reflects poorly not only on the principal but on all educators. The Board will not tolerate any further violations of the Code of Ethics by Respondent. In addition, Respondent's certificate shall be subject to the following probationary conditions for a period of two (2) years from the date of acceptance of this Order by the Board.

1. Respondent shall submit written evidence of his completion of twelve (12) hours of professional

development/training in the area of ethics as approved by the Board by July 1, 2008. Any expense for the professional development/training shall be paid by Respondent.

2. Respondent shall submit written evidence of his completion of professional development/training in the area of teacher leadership as approved by the Board by January 1, 2009. Any expense for said course shall be paid by Respondent.

3. Respondent shall submit written evidence of his completion of Board approved professional development/training in appropriate professional interactions by January 1 of each year of the probationary period. Any expense for the professional development/training shall be paid by Respondent.

4. Respondent shall have no further criminal convictions. Respondent shall supply the Board with a current national and state criminal background check by July 1 of each year of the probationary period. Any expense for the criminal background check shall be paid by Respondent.

5. Respondent shall have no further disciplinary actions by any school district or educational licensing/certification agency in the United States. The parties agree that "disciplinary action" is defined as any admonishment, reprimand, suspension or termination issued by any school district or state agency and upheld after a due process hearing if requested by Respondent.

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. 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 (Mr. Paul, recused)*

07-127 (Nathan Wilson)

Accept Agreed Order allowing Respondent to re-apply for certification subject to the following conditions:

1. Respondent shall provide written proof from a certified mental health professional that he is

psychologically fit to enter the teaching profession. Wilson will not be considered for certification until this condition is met.

2. Respondent must complete twelve (12) hours of professional development/training in the area of ethics, as approved by the Board, no later than December 31, 2007. If Wilson is approved for certification but does not complete this requirement by December 31, 2007, his certificate will be automatically suspended and will not be reinstated until the requirement has been met.

Vote: *Unanimous*

06-0488 (Lindsey Allen)

Accept Agreed Order stating that Respondent's certificate is expired and that issuance of any future certificate to Respondent, or on her behalf, is expressly conditioned upon Respondent providing, upon application, written proof to the Board that she has completed twelve (12) hours of professional development/training, approved by the Board, in the areas of classroom management and effective discipline techniques. Any expense for this training shall be paid by Respondent.

Should Respondent fail to satisfy this condition, the Board shall automatically deny any application submitted by Respondent or on her behalf.

Vote: *Unanimous*

06-05122 (Robetta Johnson)

Accept Agreed Order which acknowledges Respondent's concern for both her and her family's personal safety; however, the Board can not overlook a violation of a student's privacy rights. Respondent is reminded that as a teacher she is the guardian of confidential information which she has an ethical and statutory responsibility not to disclose unless requested through the appropriate legal channels.

This settlement agreement is expressly conditioned upon Respondent providing written proof to the Board that she has successfully completed training in the statutory requirements and procedures of the juvenile justice system, as approved by the Board by June 30, 2008. Any expense for this course shall be paid by Respondent.

Respondent agrees that should she fail to satisfy any of the above conditions, her certificate shall be automatically suspended until Respondent provides written proof to the Board that she has completed the conditions.

Vote: *Unanimous*

05-0114 (Charles Dean)

Accept Agreed Order requiring Respondent to complete 12 hours of professional development in the area of anger management and appropriate boundaries between teacher and student. Further, Respondent is admonished as follows: Teachers are charged with protecting the health, welfare and safety of their students which includes their mental health. Teachers are bound to maintain appropriate boundaries between themselves and their students. Respondent failed in this duty when he exercised poor judgment by throwing a stapler in the classroom which could have resulted in an injury to a student. The Board will not tolerate any further misconduct of this nature by Respondent. Respondent has until June 30, 2008, to complete the training or his certificate will be suspended until he supplies proof of compliance with the training requirement.

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

Motion made by Ms. Williams, seconded by Ms. York, to return to closed session to discuss a personnel matter.

Vote: *Unanimous*

Meeting adjourned at 3:55 p.m.

Next Meeting: November 19, 2007
 9:00 AM
 EPSB Board Room
 Frankfort, Kentucky