

The actions delineated below were taken in open session of the EPSB at the January 23, 2006, regular meeting. This information is provided in summary form; an official record of the meeting is available on tape 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
January 23, 2006**

Members Present:

Lonnie Anderson
Wally Campbell
James Cibulka
Lydia Coffey
Sam Evans
Kristin Gregory
Kent Juett
Steve Lin
David Muse
Rita Presley
Steve Schenck (for Gene Wilhoit)
Wilson Stone
Tom Stull
Ellie Thompson
Lorraine Williams

Members Absent:

Jim Applegate
Linda Livers

Call to Order

Chair Tom Stull convened the meeting at 9:05 AM EST.

Swearing In of New Board Members

General Counsel Brenda Allen administered the oath to Lorraine Williams and David Muse, new Board members, who were unable to attend the November 14, 2005, meeting.

Amendment to November 14, 2005, Minutes

Motion made by Ms. Thompson, seconded by Mr. Stone, to amend the minutes of the November 14, 2005, EPSB meeting as follows:

Order 2005 – 106 should read: *Motion made by Ms. Thompson, seconded by Dr. Cibulka, to include an October Board meeting each year to **include a discussion of the budget and/or legislative agenda.***

Vote: Unanimous

Approval of November 14, 2005, Minutes as Amended

Dr. Evans expressed concern about the accreditation of Midway College and about accreditation of all institutions. Accreditation should be the same for all institutions, and accreditation should reflect the actual language of the regulations. Dr. Evans suggested that the Board review the language of the regulations. Dr. Rogers suggested adding this topic to the Annual Retreat agenda.

Motion made by Mr. Anderson, seconded by Ms. Gregory, to approve the minutes of the November 14, 2005, EPSB meeting as amended.

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

Open Speak

No requests were made for Open Speak.

Report of the Executive Director and Staff

In his report Dr. Phillip Rogers:

- welcomed new Board members, Lorraine Williams and David Muse;
- asked Wilson Stone to share with the Board an update on Linda Livers who was absent due to illness and under her doctor's advisement; and
- reviewed the Board folders and the information contained therein.

KDE Update

Mr. Steve Schenck, sitting in for Commissioner Gene Wilhoit, KDE, shared some information with the Board. During the spring semester of 2007, students will be taking the revised CATS, which includes a new core content for assessment, 4.0, and an added dimension called "Depth of Knowledge." Mr. Schenck anticipated that the Kentucky Board of Education (KBE) would approve the new high-school graduation requirements at its next month's meeting. These two developments will greatly impact what teachers will have to know to teach their students. Mr. Schenck suggested that Starr Lewis, KDE, give a presentation to the Board at a future date on these two developments.

CPE Update

There was no Council on Post Secondary Education (CPE) update since Dr. Applegate was absent.

Amendment to Alice Lloyd College's Praxis Pass Rates

Mr. Wendell Cave reported to the Board regarding a correction needed to Alice Lloyd College's Praxis pass rates. Institutions that have less than an 80 percent pass rate on the Praxis tests must submit a rejoinder to EPSB. Mr. Cave reported that an error had been made last year in reporting Alice Lloyd College's pass rate. The institution actually had a 100 percent pass rate on its secondary level Principles of Learning and Teaching (Praxis). The institution has been notified of the error. Corrective action has been taken, and a new procedure will be in effect next year. That procedure will involve review of data by another person before action is taken.

Admissions Data Update

Dr. Marilyn Troupe, Director of the Division of Educator Preparation, and Dr. Melissa Miracle gave a presentation to the Board regarding admission and exit data from educator preparation programs. This being the second year to present admission data, Dr. Troupe related that such reports would be made on an annual basis. A more detailed listing of content areas and all institutions would be presented at the Board's annual retreat.

The admission/exit data focused on five shortage areas: (1) science/mathematics, (2) foreign language, (3) special education, (4) middle school science, and (5) middle school mathematics. Dr. Troupe cautioned the Board not to correlate the admission data with the exit data. That is, just because one person entered a preparation program did not mean that person exited the same program.

Dr. Miracle has been working with the Division of Educator Preparation to train the program consultants on how to access the database of district-entered information. Elizabeth Springate, consultant, is the lead person in managing the database. Dr. Miracle reported that the first two years of data reporting (2001-2002 and 2002-2003) were not as "clean" as she wished. There were some technical difficulties in transferring information, especially admission data, from Excel spreadsheets into the database. However, since the last two years of data reporting (2003-2004 and 2004-2005) have used data entered into the EPSB database, the data is more clean. The trend for clean or cleaner data should continue the longer the database system is used.

In reviewing the admission data with the Board, Dr. Miracle pointed out that more students have enrolled in the special education programs, whereas the admission numbers for science/mathematics, foreign language, middle school science, and middle school mathematics have leveled. When broken down in three major certification areas, the data reveals that more students have sought certification in mathematics, Spanish, and learning behavior disorders (LBD). Certification in foreign language may increase should graduation requirements be amended; however, other than French, Latin, German, and Spanish, not many schools are offering classes in other languages. For instance, the University of Kentucky is the only institution that offers classes in Russian as part of its curriculum. Some Jefferson County schools offer Chinese in their foreign language curriculum.

The exit data shows trends similar to those of the admission data. More students have exited special education preparation programs; and while there have been increases in the certification areas of middle school mathematics and in science/mathematics in general, the numbers are still low when compared to the special education exit data. In the science/mathematics exit certification areas, mathematics and biology have the greatest number of students; in foreign language, Spanish and French; and in special education, learning behavior disorders (LBD).

Dr. Evans recommended that the Admission Data Trend Report be sent to all institutions. Dr. Cibulka inquired whether data was available that would indicate what would be the critical shortage areas in the near future, based on attrition and on the current shortage trends. Dr. Troupe related that she did not have that information readily available but would be able to present more information on critical shortage areas at the annual retreat.

Wendell Cave noted that the growth in alternative certification programs paralleled the exit data.

LEAD Report Update

Mike Carr, Director of Division of Certification, presented the local educator assignment data (LEAD) report update. This report has also been submitted to Gene Wilhoit, Commissioner, Kentucky Department of Education (KDE). Mr. Carr related that EPSB is pleased with the information that the report indicates. He reminded the Board that EPSB had extended the districts' reporting date to the Commissioner to November 15, which gave districts more time to submit their data. Mr. Carr pointed out the two sets of statistics, the number of assignments and the number of people, with the number of people being the more important statistic. Except for two status categories—"out of field" and "out of grade range"—all other categories show a decrease in the numbers of noncompliers. The Commissioner gives districts until January 31 to correct any of the problems. This year there will be a spring LEAD report, due by the end of February; and the highly qualified (HQ) report will be based on the data collected this spring. Mr. Carr recognized Cindy Godsey, LEAD coordinator, who has been with EPSB for nine months and who has been doing an excellent job.

Mr. Carr explained some of the status items on the report. For example, "never certified" is generally the largest category because it is made up of vacant positions—that is, posted positions that have not been filled. In such cases the districts generally have to staff with emergency certified people.

Mr. Stone inquired whether SEEK funds were withheld based on the LEAD report, and Mr. Carr responded that has happened in the past. Last year he knew of seven or eight positions the LEAD report had affected in such way. Ms. Williams asked if there were particular areas in the state where "never certified" is more of a problem. Larger urban areas, of course, have fewer problems; but certain schools that have a high population of special education students do experience this problem more often. Statewide, however, there will always be some problems with "never certified." Dr. Rogers pointed out that the statistics show 99.77 percent of all teachers are "cleared"; that is, they are teaching in their field and grade range and are duly certified.

Revision to Certificate Design

Mr. Carr pointed out to the Board the current design of certificates. On the back of each certificate is a long list of instructions and applicable regulations about how to renew the certificate. The printing of certificates and the amendments to regulations regarding renewal of certificates often do not coincide. That is, an amended regulation may not be current with what is printed on the back of the certificate; whereas renewal codes can be changed more easily on the fronts of certificates. Janet Banta, former director of the division, and Cindy Godsey suggested that the outdated instructions/regulations be replaced with the Code of Ethics. That way, each certificate holder would have his or her copy of the Code of Ethics. A reference to the Code of Ethics would be added to the front of the certificate. Since the division would need to reprint certificate forms this spring, then making this change now would be cost-effective. Board members who commented about the redesign proposal agreed the redesign was a good idea.

Redesign of Principal Preparation Program

Dr. Troupe, Mr. Brown, and Dr. Jim Rinehart, University of Kentucky and also with the Commonwealth Collaborative for School Leadership Programs (CCSLP), presented the Board with an update on the principal preparation program redesign. Dr. Rogers directed the Board to two documents within their folders: “Leading Change” and “Items for Consideration.” Mr. Brown recognized the work of the various agencies that have contributed to the task of redesigning the principal preparation program. Not just a Kentucky initiative, restructuring the principal preparation program has gained national focus. The Wallace Foundation, co-drafter of the CCSLP initiative, has decided to use Kentucky’s redesigned program as a case study. Last April at the CCSLP conference, chairs and deans met and discussed important points, those in the “Leading Change” and “Items for Consideration” documents, that the universities believed all Kentucky principals needed. The committees for the Master’s Degree Program and the Principal Preparation Redesign Program share many of the same ideas and recommendations, which means these two programs should work hand-in-hand.

Dr. Rinehart recognized Dr. Rosa Weaver as a co-convenor of the CCSLP principal preparation program. Reiterating that the Master’s Degree Program Committee shared similar redesign recommendations, he also related that he was aware the ISLLC standards were undergoing modifications—basic six standards remaining the same but with more specifics regarding performance outcomes. Dr. Rinehart recognized Dr. Phillip Rogers’ continuing support of the redesign effort. In most reports from schools that are performing well, one reason for that good performance has been leadership—that is, effective leadership. The major focus of the redesign program is, therefore, to better prepare those individuals who plan to be out in the field. Dr. Rinehart recognized Debbie Daniels’ help in organizing these efforts.

The “Leading Change” document was initially drafted last April and then revised during that summer. Feedback for the “Leading Change” document consisted of: (1) open-ended elements that would allow institutions and districts to be more involved in developing preparation programs and (2) funding issues. The “Items for Consideration” is a refinement of “Leading Change.” One theme surfaces, and that theme is the need for more district involvement in the admission process, program and internship design, program delivery, and program review. Dr. Rinehart suggested that the deans and provosts be brought together to discuss the redesign program. (For example, the redesign program may affect class sizes in the institutions.) Also, at a national meeting planned this summer, to which all state leadership people will be invited to attend, the principal redesign program will be on the agenda.

Dr. Troupe informed new Board members about the Board’s appointment of the Master’s Review Committee (a cross-section of principals, teachers, higher education members, deans, KDE representatives) in September 2005. This committee was charged with reviewing current master’s degree programs and making recommendations about how they could be modified to aid in improving student learning. The principal program redesign piggybacks on the work of the Master’s Review Committee, whose report is due to the Board at the May meeting.

Two Board members had questions for the presenters. First, Ms. Williams asked whether the proposed changes in the master's degree program for rank change were correlated to student achievement. Dr. Troupe responded affirmatively. Second, Dr. Cibulka asked Dr. Rinehart to address two areas: (1) the pros and cons for Element 6 (Masters/Post-Masters) in the "Leading Change" document and (2) the resource implications involved. If institutions become more selective about admissions into these programs, then class sizes—and funds—would be affected. On the other hand, selective admissions should give better educated and better qualified school leaders.

Report on New National Board Certified Teachers

Mr. Brown, Ms. Cindy Owen, and Ms. Lynn Hines next presented to the Board a report on new National Board Certified Teachers (NBCTS). Mr. Brown recognized Ms. Hines' hard work in pushing the NBCTS program and getting teachers involved in the program. In fact, Kentucky is ahead of the national average in the number of NBCTS; and due to Ms. Hines' work receives much-needed federal funds to support the program.

Ms. Hines directed the Board to documents within their folders, pointing out that Kentucky now has 900 NBCTS in comparison to only one NBCT in 1995—Ms. Hines herself. Should the number of Kentucky NBCTS continue to increase at such rate, then the state would have over 8,100 NBCTS in 2015, or one-fourth of all Kentucky teachers. Kentucky is moving forward and should have no problem having at least one NBCT in each school. In fact, Ms. Hines said she encourages principals to strive for three to four NBCTS in each school.

For the 04-05 cycle, statistics reveal that 166 candidates were certified in November 2005. Of that number, 83 were first-time candidates; 83, second- or third-year candidates; and 9, third-year candidates, which reflects a 50 percent pass rate for third-year candidates. Since certification is a one- to three-year process, Ms. Hines related that she encourages those who may not certify one year to continue trying to certify. While Kentucky's certificate rate of 43 percent is higher than the national rate (38 percent), that rate is lower than it has been in previous years. Ms. Hines related that the downward trend is being investigated and corrective actions such as more workshops are being taken to increase the number of NBCTS. For the 05-06 cycle, 494 candidates have currently applied for National Board certification. Sixty-seven of these are advanced candidates (second or third year). She believed that number would increase to 550 candidates by the close of the application cycle (January 31, 2006). Ms. Hines reported that each first-year candidate in the 05-06 cycle received a federal subsidy of \$1,150, which pays half of the fees for certification. (Those fees will increase to \$2,500 this next year.) Nineteen candidates have already applied for the 06-07 cycle, and Ms. Hines related that she receives 10 to 15 inquiries each day about application for the 06-07 cycle. Therefore, the number of candidates for the 06-07 cycle is expected to increase. Federal subsidy funds have been requested for the 06-07 cycle; and should Kentucky receive some of the overage funds from the 05-06 cycle, then there should be enough funds to pay at least half (\$1,150) of the candidate's fees for National Board certification.

Ms. Williams inquired whether the application extension window affected the number of applicants and whether preparation for National Board certification, especially the writing component, was included in teacher preparation programs. Not until the next year

will Ms. Hines know whether the application extension has increased or decreased the number of candidates; however, the spring application period, allowing teachers to do more work in the summer months, seemed to be more palatable. Ms. Presley inquired about reimbursement for candidates' out-of-pocket expenses. Seventy-five percent of such expenses are paid from the general teacher fund. Dr. Cibulka inquired whether NBCTS were given leadership opportunities. Ms. Hines related that a survey was being conducted to determine placement of NBCTS, and early results of that survey revealed that many were now in leadership positions—instructional supervisors, principals, university-level instructors. Dr. Cibulka requested that the results of that survey be shared with the Board. Those results should be available by either the March or May meeting. Mr. Lin reported that some states such as Georgia have used differentiated compensation to attract more NBCTS to low-performing schools. Kentucky has encouraged NBCTS in eastern Kentucky since more federal funds, Project Appalachia, have been received for that geographic area.

Following Ms. Hines' presentation, Dr. Rogers presented her with a plaque honoring her achievements (Kentucky's first NBCT in 1995 and Kentucky's first recertified NBCT in 2005), work, energy, and vision toward the NBCT program.

Report of the Chair

In his report Chair Stull:

- appointed the following people to the EPSB Reading Committee for the three-year period of January 2006 – January 2009: Dr. Lesia Lennex (replaces Dr. Sharon Sullivan), Dr. Cynthia Mason (replaces Dr. Kim Naugle), Dr. Doug Smith (replaces Dr. George Patmor), and Ms. Nancy Reed (replaces Ms. Sarah Sweat);
- appointed the following people to the Continuous Assessment Review Committee (CARC) for the two-year period of January 2006 – January 2008: Dr. Paul Erickson (replaces Dr. Paul Wirtz), Dr. Lora Bailey (replaces Ms. Wanda Griffith), Dr. Lenore Kinne (replaces Dr. Ken Carter), Ms. Angela Cain (replaces Ms. Carlette Kiser), and Ms. Pam Rogers (replaces Ms. Phyllis Shuttleworth);
- reappointed the following people to the Continuous Assessment Review Committee (CARC) for the two-year period of January 2006 – January 2008: Dr. Renee Campoy and Dr. Bonnie Banker; and
- appointed Kristin Gregory to replace Joe Welch on the Evaluation Committee of the Executive Director. Chair Stull asked the Evaluation Committee to meet after the Board meeting to determine a date in January to meet.

Dr. Troupe recognized and introduced Ms. Freda Simpson, who is new to her division and who serves as Administrative Specialist III.

Ms. Thompson related that the Report of the Executive Director included several critical issues; and while the Board folders contained good summaries of that information, having that information beforehand, prior to the meeting and in the Agenda Book, would give Board members more time to process the information. Dr. Rogers responded that efforts will be made to accommodate the Board's request.

Information Items

A. 16 KAR 7:020: Kentucky Principal Internship Program (KPIP), Notice of Intent

Mr. Brown and Ms. Allen presented to the Board proposed regulation amendments for the Kentucky Principal Internship Program (KPIP). Both educators and legislators have expressed the need to update KPIP to meet the evolving needs of Kentucky schools. EPSB staff have collaborated with the Commonwealth Collaborative for School Leadership Programs (CCSLP), the Kentucky Advisory Council for Internship (KACI), the Council for Postsecondary Education (CPE), the Kentucky Department of Education (KDE), local school districts, and various professional organizations to develop proposed improvements to KPIP. At the Board's November 2005 meeting, Mr. Brown shared information outlining some of the discussion topics related to changes to KPIP.

As EPSB's collaborative work continues, the staff have identified immediate changes that need to be made to KPIP. Proposed amendments to 16 KAR 7:020 include:

1. inclusion of an appeals process for KPIP;
2. new requirements for principal mentors (must have served as a principal at least three of the last five years);
3. an increase in the supplement to principal mentors (not to exceed \$1,400);
4. inclusion of language stating that payments are contingent on adequate funding under the Commonwealth's biennial budget;
5. a requirement defining the observation of KPIP committee members to be three hours' duration;
6. inclusion of language allowing for online submission of work completed by the KPIP committee;
7. inclusion of language incorporating the KPIP Handbook by reference; and
8. revision of language removing the responsibility of KPIP from KDE to EPSB.
9. An action item for final Board approval will be presented at the March meeting.

B. 16 KAR 2:060, School Nurse Certification, Notice of Intent

Dr. Troupe, Ms. Allen, Karen Erwin, Education School Nurse Consultant, KDE, and Dr. Sylvia Gaiko, Associate Dean, College of Health and Human Services, Western Kentucky University, with assistants Drs. Beverly Siegrist and Susan Jones, professors, Department of Nursing, presented to the Board proposed amendments to 16 KAR 2:060, School Nurse. The regulation has not been amended since originally adopted in 1980. Practicing school nurses seeking certification, but having difficulty meeting the requirements as written, recommended revisions to the governing regulation. According to the original regulation, degreed nurses, or those persons having attained a bachelor's degree or a master's degree in nursing, would have to complete the school nurse preparation program, which would require candidates to duplicate coursework.

EPSB staff worked with the Kentucky School Nurse Association (KSNA), the Kentucky Board of Nursing (KBN), the Kentucky Department of Education (KDE), the Department of Public Health (DPH), and Western Kentucky University's (WKU) Department of Nursing to propose amendments to the regulation. At KSNA's general session of 2005,

EPSB staff advised that the proposed amendments to the regulation would not ensure that districts would hire certified nurses.

Proposed amendments to the regulation would allow for three levels of certificates: (1) provisional, (2) professional, and (3) advanced school nurse with three options. Each level would have renewal requirements.

Dr. Troupe pointed out a revision to the Staff Note. Under the Background heading, paragraph two, sentence two, “KSNA” should be revised to read **EPSB**. That is, EPSB staff met with KBN to review the regulation. School Nurse Consultant Karen Erwin (KDE) fielded several questions from the Board.

Ms. Thompson asked for an explanation of “related field” and believed that experience in school nursing should be the basis for certificate renewal. The Board also noted similarities between requirements for the professional certificate and Option 1 under the advanced school nurse certificate and requested clarification of the requirements at the next Board meeting.

An action item for final Board approval will be presented at the March meeting.

C. 16 KAR 5:010, Standards for Accreditation of Educator Preparation Units and Approval of Programs, Notice of Intent

Dr. Troupe and Ms. Allen presented to the Board proposed amendments to 16 KAR 5:010, Standards for Accreditation of Educator Preparation Units and Approval of Programs. EPSB staff frequently review the regulation for compliance with current agency and National Council for Accreditation of Teacher Education (NCATE) standards. Amendments are often necessary to keep the accreditation portion of the regulation properly aligned with EPSB’s and NCATE’s policies. The proposed amendments to various sections for consistent wording and to Sections 9, 16, 19, 24, and 25 would ensure consistency in the regulation’s implementation.

At Ms. Gregory’s suggestion, and following discussion by the Board, the proposed change in terminology in Section 24 and Section 25 should be revised. “At risk of low performing” should be changed to read “at risk of low *performance*,” and “low performing” should be changed to read “low *performance*.”

An action item for final Board approval will be presented at the March meeting.

D. Draft EPSB Procedure Manual Amendments

Ms. Allen presented to the Board proposed amendments to two EPSB *Procedure Manual* documents: (1) Alternative Routes to Certification, Reference, and (2) Election of Officers Procedure. Amendments to the *Procedure Manual* have occurred periodically over the years. Changes in the statute governing alternative routes to certification providing an additional option, Option 7, have occurred. These changes have warranted a change in an additional procedure within the *Procedure Manual* for consistency. In addition, the EPSB Chair had requested the option of having a Chair Pro-Tem preside over meetings in the event of the Chair’s absence and the Vice-Chair’s inability to preside. This option has been added to the policy governing the Election of Officers Procedure. Ms. Allen pointed out that the amended date would carry the date on which the Board approves the changes.

An action item for final Board approval will be presented at the March meeting.

Action Items

A. 2006 June Meeting: Change of Meeting Place and Time: 2006 Retreat: Change of Meeting Place, Date, and Time

Executive Assistant, Rhonda Eversole, related that the Board's 2006 Annual Retreat had been tentatively scheduled for July 16–18, 2006, at the Hampton Inn/Center for Rural Development in Somerset, Kentucky. Soon after assuming her position, the Executive Assistant learned that the Somerset location posed some problems. The Hampton Inn did not have a meeting room large enough to accommodate the retreat sessions, and members would have to leave the Inn and walk to the Center for Rural Development for the sessions. Moreover, the timing of the July retreat last year created schedule conflicts for a number of Board members who were unable to attend the retreat.

The Board Chair recommended that Board members be surveyed about an alternate meeting place for both the 2006 Retreat and the 2006 June meeting, convening them back-to-back, with a Friday–Sunday timeframe for the retreat and then a Monday for the meeting. Therefore, ruling out locations of previous retreats and considering the amenities a small- to medium-size metropolitan area could offer, the EPSB leadership staff decided Bowling Green might be a better choice. After contacting the Holiday Inn University Plaza in Bowling Green and considering alternate dates in June, the Executive Assistant surveyed the Board members, asking their opinion about changing the location and time of the 2006 meeting (Bowling Green, 9 AM CDT) and 2006 Annual Retreat (Bowling Green, June 9–11). Twelve of 17 Board members responded to the survey, and all 12 responses were favorable.

2006–001

Motion made by Ms. Thompson, seconded by Mr. Juett, to approve changing the location and dates of the 2006 Annual Retreat to Holiday Inn University Plaza, Bowling Green, Kentucky, June 9–11, 2006, and changing the location and time of the June meeting to Holiday Inn University Plaza, Bowling Green, Kentucky, convening June 12, 2006, at 9 AM CDT.

Vote: Unanimous

Waivers

A. Exceptional Children Teacher Assignment Waivers

2006–002

Motion made by Ms. Coffey, seconded by Mr. Stone, to approve staff recommendations for the exceptional children teacher assignment waivers as submitted.

Vote: Unanimous

B. Mrs. Nancye Goldy Hall—Waiver of 16 KAR 6:010, Section 2, Request for Waiver of Assessment Requirements for the Addition of a Certificate Area

2006–003

Motion made by Dr. Cibulka, seconded by Mr. Anderson, to deny the request made by Mrs. Nancye Goldy Hall to waive 16 KAR 6:010, Section 2. Ms. Hall must pass the Elementary Education: Content Knowledge (0014) before adding K-5 certification to her current Kentucky certificate.

Vote: Unanimous

C. Ms. Ranelle Rigney—Waiver of 16 KAR 8:020, Section 2, Request for Waiver of Requirements for Certificate Renewal and Rank II

2006–004

Motion made by Ms. Gregory, seconded by Ms. Coffey, to deny the request made by Ms. Ranelle Rigney for a waiver of 16 KAR 4:060, Section 1, and 16 KAR 8:020, Section 1, to allow her Master’s Degree in Ministry to renew her lapsed certificate and to grant a rank change.

Vote: Yes – 13; Recuse – 1 (*Dr. Evans*)

D. Ms. Tina Tipton, Interim Superintendent, Eminence Independent Schools, on behalf of Mr. Kim Goodloe—Waiver of 16 KAR 2:120, Section 2, Request for Waiver of Six New Hours for Reissuance of Emergency Special Education Teaching Certificate

2006–005

Motion made by Ms. Thompson, seconded by Ms. Coffey, to deny Ms. Tipton’s request on behalf of Mr. Kim Goodloe for a waiver of 16 KAR 2:120, Section 2, waiving the requirement for six graduate hours for a reissuance of an emergency teaching certificate for special education for the 2005–2006 school year.

Vote: Unanimous

E. Dr. James Cibulka, University of Kentucky, on behalf of Mr. Jason Howell—Waiver of 16 KAR 5:040, Section 2(d), Request for Waiver of Cooperating Teacher Eligibility Requirements

2006–006

Motion made by Ms. Coffey, seconded by Dr. Campbell, to approve the request made by Dr. James Cibulka on behalf of Mr. Jason Howell to waive 16 KAR 5:040, Section 2(d), allowing Mr. Howell to serve as a cooperating teacher for the Spring of 2006.

Vote: 13 – Yes; 1 – Recuse (*Dr. Cibulka*)

**F. Dr. Cathy Gunn, Morehead State University, on behalf of Ms. Sandra Wilson—
Waiver of 16 KAR 5:040, Section 2(b), Request for Waiver of Cooperating Teacher
Eligibility Requirements**

2006–007

Motion made by Dr. Campbell, seconded by Mr. Anderson, to approve the request made by Dr. Cathy Gunn on behalf of Ms. Sandra Wilson to waive 16 KAR 5:040, Section 2(b), allowing Ms. Wilson to serve as a cooperating teacher for the Spring of 2006.

Vote: Unanimous

**G. Ms. Janell Rahn—Waiver of 16 KAR 6:010, Request to Waive Praxis II
Principles of Learning and Teaching: Grades K–6 (0522) and Elementary
Education: Content Knowledge (0014)**

2006–008

Motion made by Mr. Stone, seconded by Dr. Cibulka, to approve the request made by Ms. Janell Rahn to waive Elementary Education: Content Knowledge (0014), accepting CBEST, CSETs 101, 102, and 103, and RICA in lieu thereof, but to deny the waiver of Praxis II Principles of Learning and Teaching: Grades K–6 (0522).

Vote: Unanimous

Alternative Route to Certification Applications

A. Mr. Curtis Meurer, Biology, Grades 8–12

2006–009

Motion made by Mr. Stone, seconded by Ms. Gregory, to approve Mr. Curtis Meurer's alternative route to certification application based on his exceptional work experience in the area of Biology, Grades 8–12.

Vote: Yes – 13; No – 1 (Dr. Evans)

**DISCIPLINARY MATTERS:
MINUTES OF CASE REVIEW
January 23, 2006**

Motion made by Dr. Evans, seconded by Ms. Coffey, to go into closed session for the purpose of discussing proposed or pending litigation in accordance with KRS 61.810(c)&(j).

Vote: Unanimous

Motion made by Mr. Anderson, seconded by Dr. Cibulka, to return to open session.

Vote: Unanimous

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

Tom Stull, Lydia Coffey, James Cibulka, Steve Lin, Sam Evans, Lonnie Anderson, David Muse, Lorraine Williams, Kristin Gregory, Wilson Stone, Eleanore Thompson, Kent Juett, Wally Campbell, and Rita Presley.

Attorneys present were Brenda Dinkins Allen, Alicia A. Sneed, and Cynthia Clay Grohmann.

Initial Case Review

<u>Case Number</u>	<u>Decision</u>
05-08134	Admonish
05-08160	Hear
05-09168	Hear
05-08139	Hear
05-08140	Hear
05-08141	Hear
05-08142	Hear
05-08153	Dismiss without Prejudice
05-08152	Hear
05-08155	Hear
05-08163	Admonish (<i>Dr. Campbell, recused</i>)
05-08148	Hear
05-08138	Hear
05-09171	Hear
05-09172	Admonish
05-09167	Dismiss
05-08137	Dismiss without Prejudice
05-08157	Defer
05-07124	Admonish
05-08149	Defer
05-08145	Defer
05-07131	Hear
05-09170	Admonish
05-09173	Admonish
05-08144	Hear (<i>Dr. Campbell, recused</i>)
05-08136	Dismiss without Prejudice
05-08156	Defer
05-08150	Hear
05-08151	Hear
05-08154	Hear
05-08159	Hear
05-08158	Hear
05-08146	Hear
05-08147	Dismiss
05-08135	Defer
05-07115	Admonish
05-07132	Dismiss

05-08161	Hear (<i>Dr. Campbell, recused</i>)
05-08162	Hear (<i>Dr. Campbell, recused</i>)
05-08133	Hear
05-09174	Dismiss
05-09166	Admonish
05-09164	Hear
05-0589	Admonish
03-0462	Dismiss
03-10127	Dismiss
05-10181	Hear
05-09176	Hear
05-11210	Hear
05-11215	Hear
05-09180	Admonish
05-10182	Defer
05-09177	Admonish
05-10189	Admonish (<i>Ms. Coffey, recused</i>)
05-11204	Admonish
05-11209	Hear
05-11216	Hear
05-09169	Hear
05-11214	Admonish
05-10190	Admonish
05-10191	Admonish
05-11193	Dismiss
05-11195	Dismiss
05-11197	Dismiss
05-11198	Dismiss
05-11194	Dismiss
05-11196	Dismiss
05-11205	Admonish
05-11206	Hear (<i>Dr. Evans, recused</i>)
05-11207	Hear
05-09175	Hear
05-10185	Hear
05-11217	Hear
05-10188	Defer
05-10186	Hear
05-11220	Defer
05-12224	Hear (<i>Dr. Cibulka, recused</i>)
05-11201	Admonish
05-11202	Admonish
05-11203	Admonish
05-10187	Dismiss
05-09178	Hear
05-10183	Admonish

05-10184	Hear
05-11208	Hear (<i>Ms. Coffey, recused</i>)
05-11199	Hear
05-11211	Hear
05-0593	Dismiss without Prejudice
05-0594	Dismiss without Prejudice
05-0595	Dismiss without Prejudice

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
05-229	Approve
05-230	Approve
05-233	Approve
05-234	Approve
05-231	Approve
05-236	Approve
06-001	Approve
06-002	Approve
06-003	Approve
05-112	Approve
06-004	Defer
06-005	Approve
06-010	Approve
06-006	Approve
06-012	Approve
06-013	Approve
06-014	Approve
06-015	Approve
06-016	Approve
06-017	Approve
06-019	Approve
06-020	Approve
06-009	Approve
05-235	Approve
06-021	Approve
06-022	Approve

Agreed Orders

<u>Case Number</u>	<u>Decision</u>
CF 05-062 (Nicholas A. Wright)	Accept agreed order in which Respondent agrees he shall not apply for certification until October 1, 2007 nor shall any application be submitted to the Board upon his behalf until October 1, 2007. The Board agrees that in

considering any subsequent application for certification on or after October 1, 2007, submitted by Respondent or on his behalf, it may not rely upon any of the underlying facts or circumstances that are the subject of Wright v. Education Professional Standards Board, Administrative Action No. 05-EPSB-0369 as a basis to deny Respondent's application.

The issuance of any Kentucky teaching certificate to Respondent, or on his behalf, on or after October 1, 2007 is expressly conditioned upon Respondent providing at the time of application, in addition to proof of any academic requirements necessary for certification, written evidence to the Board of the following:

1. With his application, Respondent shall supply the Board with a current national and state criminal background check. Any expense for the criminal background check shall be paid by Respondent.
2. With his application, Respondent shall supply to the Board letters of recommendation from two (2) Kentucky certified educators in good standing with the Board and from his current employer which confirm that Respondent is morally and ethically fit to hold a teaching certificate in the Commonwealth of Kentucky.
3. Respondent shall complete twelve (12) hours of professional development training in the areas of appropriate student supervision, ethics, and appropriate teacher/student relationships and/or boundary issues, as approved by the Board. Any expense incurred for said training shall be paid by Respondent.

Failure to meet any of the above conditions will result in Respondent being denied issuance of a Kentucky teaching certificate.

Vote: Unanimous

04-0684 (Lori Bain Miracle) Accept Agreed Order suspending Respondent's certificate from March 1, 2006 to and including July 31, 2006.

Reinstatement of Respondent's teaching certificate is expressly conditioned upon Respondent

providing written evidence to the Board that she has complied with the following:

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

Upon acceptance of this agreement by the Board and prior to March 1, 2006, Respondent shall 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 will result in further disciplinary action by the Board.

Vote: Unanimous

03-0577 (Woodie Jamison) Accept Agreed Order revoking Respondent's certificate. Respondent shall surrender the original and all copies of his certificate immediately, by first class mail or personal delivery to the EPSB, 100 Airport Road, Third Floor, Frankfort, KY 40601. Respondent shall neither apply nor be issued a teaching certificate in the Commonwealth of Kentucky for a period of seven (7) years from the date of acceptance of this Order by the Board.

At the conclusion of the seven year period, issuance of any certificate to Respondent or on his behalf is expressly conditioned upon Respondent providing, in addition to proof of any academic requirements, written evidence to the Board of the following.

1. Respondent shall successfully comply with the conditions and terms of probation as set forth in 03-CR-00024.
2. Respondent shall undergo a comprehensive evaluation by a Kentucky licensed and/or certified psychiatrist, psychologist or mental health therapist approved by the Board. This psychiatrist, psychologist or mental health therapist shall present written evidence to the Board that Respondent has complied with and completed any and all treatment recommendations and has no mental and/or physical incapacity that prevents him from

maintaining appropriate boundaries with students. Any expense for said evaluation and/or treatment shall be paid by Respondent.

Should Respondent fail to satisfy any of these conditions, the EPSB shall deny any application for certification submitted by Respondent or on his behalf.

This agreement shall not prohibit Respondent from working in the adult education field, so long as the position does not require certification.

Vote: Unanimous

05-0348 (Alan Bernstein)

Accept Agreed Order admonishing Respondent for making inappropriate remarks to students. Respondent is reminded that he must treat all students with dignity and respect. Respondent's certificate is expired. Issuance of any future certificate to Respondent, or on his behalf, is expressly conditioned upon Respondent providing, upon application, written proof to the Board that he has completed twelve (12) hours of professional development/training, approved by the Board in the areas of classroom management, appropriate teacher/student interactions and ethics. Any expense for this training shall be paid by Respondent.

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

Vote: Unanimous

02-0457 (Terry Underwood)

Accept Agreed Order revoking Respondent's Certificate. Respondent shall surrender the original and all copies of his certificate immediately, by first class mail or personal delivery to the EPSB, 100 Airport Road, Third Floor, Frankfort, KY 40601. Respondent shall neither apply nor be issued a teaching certificate in the Commonwealth of Kentucky for a period of five (5) years beginning July 1, 2003.

Issuance of any future certificate to Respondent or on his behalf is expressly conditioned upon Respondent providing written evidence to the Board, at the time of application, that he has completed twelve (12) hours of professional development/training in the areas of ethics and

appropriate student/teacher relationships and/or boundary issues, as approved by the Board. Any expense incurred for said training shall be paid by Respondent.

Should Respondent fail to satisfy this condition, any application for certification submitted by Respondent, or on his behalf, shall be denied.

Vote: Unanimous

05-07126 (Matrid Ndife)

Accept Agreed Order admonishing Respondent. An educator should not place her hands on a student unless an emergency or a threatening situation arises. The Board reminds Respondent that she has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students. This settlement agreement is expressly conditioned upon Respondent providing written proof to the Board that she has received twelve (12) hours of professional development/training in anger management and appropriate classroom management, as approved by the Board, no later than December 31, 2006. Any expense incurred for said training shall be paid by Respondent.

Should Respondent fail to satisfy this condition, this Agreed Order shall be deemed null and void and this disciplinary action reinstated.

Vote: Unanimous

03-08117 (Todd Wright)

Accept Agreed Order suspending Respondent's certificate for a period of forty-five (45) days from the date of acceptance of this Order by the Board. Respondent shall surrender the original and all copies of his certificate immediately, by first class mail or personal delivery to the EPSB, 100 Airport Road, Third Floor, Frankfort, KY 40601.

This agreement is expressly conditioned upon Respondent providing written evidence to the Board, on or before March 30, 2006, that he has successfully completed twelve (12) hours of professional development/training, approved by the Board, in the areas of sexual harassment, appropriate teacher/student interactions and ethics. Any expense for this training shall be paid by Respondent.

Respondent agrees that should he fail to satisfy this condition, his certificate shall be automatically suspended and remain so until he submits proof to the Board that he has successfully completed the course.

Vote: Unanimous

95-12179 (Floyd Kenneth Slusher) Accept Agreed Order suspending Respondent's certificate from June 1, 2006 until September 1, 2006. The Board agrees to dismiss Agency Case No. 97-0262.

Re-instatement of Respondent's certificate after the completion of the suspension period is expressly conditioned upon Respondent providing, prior to re-instatement, written evidence to the Board of the following:

1. Respondent shall complete of twelve (12) hours of professional development/training in the areas of ethics, as approved by the Board. Any expense incurred for said training shall be paid by Respondent.
2. Respondent shall complete six (6) hours of anger management training as approved by the Board. Any expense incurred for said training shall be paid by Respondent.
3. Respondent shall supply the Board with a current national and state criminal background check. Any expense for the criminal background check shall be paid by Respondent.

In addition to the above conditions for reinstatement of his certificate, Respondent shall provide written evidence to the Board by December 31, 2006, that he has successfully completed his period of probation for his misdemeanor convictions in the Bell Circuit Court. If Respondent fails to provide written evidence that he has successfully completed and been released from probation by December 31, 2006, Respondent's teaching certificate will be automatically suspended and will not be reinstated until Respondent submits proof of completion to the Board. If Respondent fails to successfully complete his period of probation, his teaching certificate shall remain suspended and the Board will reinstate this disciplinary proceeding.

Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his teaching certificate to the EPSB, by delivery or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601. Failure to do will result in further disciplinary action by the Board.

Vote: Unanimous

Findings of Fact, Conclusions of Law, and Recommended Orders

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

<u>Case Number</u>	<u>Decision</u>
04-0106 (Jeffery Criswell)	Adopt the Hearing Officer's Findings of Fact and Conclusions of Law, Modify the Hearing Officer's Recommended Order and issue a Final Order permanently revoking Respondent's teaching certificate. Vote: Unanimous
04-0687 (Mihky Ferrara Brochez)	Adopt the Hearing Officer's Findings of Fact and Conclusions of Law, Modify the Hearing Officer's Recommended Order and issue a Final Order permanently revoking Respondent's teaching certificate. Vote: Unanimous
02-11139 (Leroy Hall)	Adopt the Hearing Officer's Findings of Fact and Conclusions of Law, Modify the Hearing Officer's Recommended Order and issue a Final Order permanently revoking Respondent's teaching certificate. Vote: Unanimous
03-10132 (Rachel Reece)	Modify paragraphs 9, 11, 12, 18, 28 30, 38 and reject paragraphs 8, 10, 13, 14, 15, 16, 17, 19, and 20 of the Hearing Officer's Finding of Fact and modify Paragraphs 25 and 26 of the Hearing Officer's Conclusions of Law. Modify the Hearing Officer's Recommended Order and issue a Final Order suspending Respondent's teaching certificate from February 1, 2006 to June 30, 2006 and conditioning reinstatement of Respondent's teaching certificate on the following:

A. Respondent shall submit herself to a drug abuse assessment by a professional licensed in the area of chemical dependency, as approved by the Board.

B. The professional shall submit a report of the assessment to the Board regarding continued drug counseling, an analysis of any and all drugs found in Respondent's system and any treatment recommendations, which Respondent shall comply with, at her expense.

C. Reinstatement of Respondent's teaching certificate upon the end of the suspension period is expressly conditioned upon Respondent's compliance with the above and the compliance with all treatment recommendations and requirements, as well as a "clean" drug test showing no illegal drugs or levels of prescribed drugs inconsistent with valid and current prescribed doses as evidenced by proof from the prescribing doctor. Should Respondent fail to follow the above conditions, her teaching certificate shall not be reinstated.

D. After reinstatement, Respondent shall submit herself to "periodic drug testing" upon notification by the Board at her expense, so long as he is employed in a Kentucky Public School. To effectuate this testing and for Respondent to prove that she does not have a secret drug problem and is fit to remain in the classroom, the Respondent shall at all times maintain with the Board current home and work addresses and current home and work numbers to allow the board to provide valid notice of the need to submit herself for drug testing. Should Respondent fail to maintain a current contact information with the Board or fail to submit herself for periodic, random drug testing at a certified drug testing facility and cause written evidence to be presented to the Board from that entity when requested, her certificate shall immediately be revoked, permanently.

Vote: Unanimous

Motion made by Ms. Thompson, seconded by Mr. Juett, to adjourn the meeting.

Vote: Unanimous

The meeting adjourned at 4:40 PM.

Next Meeting: March 20, 2006
9:00 AM
EPSB Board Room
Frankfort, Kentucky