

*The actions delineated below were taken in open session of the EPSB at the March 20, 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  
March 20, 2006**

**Members Present:**

Wally Campbell  
James Cibulka  
Sam Evans  
Kent Juett  
Steve Lin  
Linda Livers  
Rita Presley  
Steve Schenck (for Gene Wilhoit)  
Wilson Stone  
Tom Stull  
Ellie Thompson  
Lorraine Williams

**Members Absent:**

Lonnie Anderson  
Jim Applegate  
Lydia Coffey  
Kristin Gregory

**Call to Order**

Chair Tom Stull convened the meeting at 9:10 am EST.

**Amendment to Agenda**

*Motion made by Ms. Linda Livers, seconded by Ms. Ellie Thompson, to amend the March 20, 2006 agenda to remove the evaluation of the Executive Director.*

**Vote:** *Unanimous*

**Approval of January 23, 2006, Minutes**

*Motion made by Mr. Wilson Stone, seconded by Ms. Livers, to approve the minutes of the January 23, 2006 EPSB meeting.*

**Vote:** *Unanimous*

**Open Speak**

Ms. Jenny O'Neil addressed the Board regarding her request for waiver of 16 KAR 8:020, pertaining to the requirements that she obtain a second master's degree in order to continue teaching.

## **Report of the Executive Director and Staff**

### **KDE Update**

Mr. Steve Schenck, sitting in for Commissioner Gene Wilhoit, Kentucky Department of Education (KDE), updated the Board on two issues. 1) The contract for the Commonwealth Accountability Testing System (CATS) made it through the Contract Review Committee, thus the new Core Content for Assessment Version 4.0 and Depth of Knowledge are closer to becoming official. Some cooperatives have begun to deliver training for the new Core Content Version 4.0 and Depth of Knowledge. 2) The March edition of *Kentucky Teacher* contains an article about new graduation requirements. Some of the new requirements in math, technology, and oral language will have an impact on students.

### **CPE Update**

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

### **Federal Highly Qualified Teacher Visit**

Mr. Robert Brown reported on the federal highly qualified teacher visit in February. The federal team praised Kentucky on the outstanding job being done with data collection, which Mr. Brown mentioned, may be attributed to both the staff in his division and the school districts. The federal team did recommend, however, that the Education Professional Standards Board (EPSB) develop a plan to ensure an emergency-certified teacher does not continue to teach on an emergency certificate. This topic has been placed as an agenda item for the June 2006 retreat.

### **Legislative Update**

Ms. Brenda Allen reported that House Bill 125, the EPSB's bill that ensures National Board Certified Teachers (NBCT) will not lose rank if their National Board Certificate expires, was delivered to the Governor on March 17, 2006 for his signature.

Additionally, Ms. Allen informed the Board that the new EPSB members, Dr. James Cibulka and Ms. Lorraine Williams, represented the EPSB well during their confirmation hearings. The appointments are awaiting the Governor's signature.

Senator David Williams proposed a bill that will require the EPSB to drug test all teachers whose teaching certificates are suspended or revoked for drug-related misconduct. If this bill passes, the EPSB and KDE must promulgate regulations that will detail how to execute the drug tests.

Deputy Executive Director Allen reported that the Governor's budget recommendations were sent to the House. The House provided an additional \$300,000.00 for the National Board Trust Fund. Additionally, the budget bill was received in the Senate. It is anticipated that it will go into Conference Committee next week.

### **Introduction of new staff members**

New EPSB staff members were introduced. Ashley Abshire is the new executive assistant, the new Troops to Teachers Coordinator is Larry Fohl, and Gary Stephens serves as the new staff attorney.

## **Report of the Chair**

In his report, Chair Stull appointed Diane Woods-Ayers (replaces Ms. Renee Scott) and reappointed Judy Conrad to the Accreditation Audit Committee for the three-year period of January 2006 – January 2009. Chair Stull also advised the Board that at the next meeting he will appoint a committee to develop a protocol to evaluate the Executive Director.

Anyone interested in serving on the committee should contact him. Mr. Stull concluded his report by inviting EPSB's new Board member, Ms. Lorraine Williams, to introduce herself to the Board.

## **Information Items**

### **A. Review of Master's Degree for Rank Change and Efficacy for Improving Student Learning Committee Update**

Dr. Marilyn Troupe presented a draft report from the Master's Degree Program Committee to the Board for comment and discussion.

There are currently three (3) board members serving on the Master's Degree Committee which has met since November 2005. They are Mr. Steve Lin, Dr. Jim Cibulka, and Mr. Kent Juett. Dr. Troupe presented three of the committee's recommendations: 1) Combine or collapse the New Teacher Standards and Experienced Teacher Standards to become Kentucky Teacher Standards. 2) Delete fifth and sixth year programs for rank change because they do not lead to a degree. 3) Certify the principal and other leadership positions at the post-master's level.

During the March 29 meeting, the committee will review standards for online courses, as well as programs and institutions so there may be additional recommendations. Dr. Troupe received a number of questions and concerns from Board members and indicated she would take them to the committee. The committee will present a final report at the May 15, 2006 Board meeting.

### **B. Kentucky Teacher Internship Program Discussion on the Use of the Teacher Work Sample**

During the November 14, 2005 Board meeting, the Board requested that Teacher Work Sample (TWS) participants who are currently using (or piloting) the TWS and revised Performance Record appear before the Board. As a result, Ms. Karen Cobb, Ms. Kim Kearney, Ms. Beth Osborne, and Ms. Kristen Lucas, participants using the TWS, discussed their thoughts and experiences with the Pilot Program and the TWS before the Board. These participants, as well as the Kentucky Advisory Council for Internship (KACI), value the TWS and provided a number of positive comments regarding its benefit to the teacher. KACI sent a recommendation letter (provided in the Board folder) urging the EPSB to adopt the structure of the current pilot program at its May 15, 2006 meeting. Mr. Brown informed the Board that he intends to bring the TWS as an information item with notice of intent at the May 15, 2006 Board meeting to allow continued voluntary use for two years to be followed by mandatory statewide implementation.

### **C. 2006 Retreat Agenda, Draft**

The retreat agenda was reviewed. A finalized copy will be provided at the May 15, 2006 Board meeting.

### **D. 16 KAR 5:040: Admission, Placement, and Supervision in Student Teaching, Amendment, Notice of Intent**

This regulation was brought to the Board with suggested amendments to address cooperating teacher eligibility requirements and the continuing shortage of master teachers in difficult-to-place certification areas. Dr. Troupe reported that she and her staff reviewed surrounding state guidelines for cooperating teachers. As a result, they proposed the following suggestions for Board consideration:

1) allow three years of teaching experience on a professional certificate, instead of four years of teaching

- 2) allow fifteen (15) hours or more of college credit toward the master's degree if the educator has not yet attained Rank II
- 3) delete the requirement for 20 years of teaching experience; and
- 4) delete the requirement for work as a cooperating teacher during the past five (5) years

Additionally, Dr. Troupe reported staff recommendations to change the cooperating teacher payment dates to ensure payment is received before the school term concludes and to change the method of compensation to actual weeks served in place of a "per semester payment."

A lengthy discussion ensued regarding cooperating teacher criteria. Ms. Allen is going to work with Board members to develop five or six criteria to guide the selection of cooperating teachers and bring them to the Board for further consideration when the regulation is brought back as an action item.

#### **E. 16 KAR 2:010: Kentucky Teaching Certificates, Amendment, Notice of Intent**

In 2004, the EPSB amended 16 KAR 2:010 to assist districts in meeting Highly Qualified (HQ) requirements established by The No Child Left Behind Act of 2001 by developing the TC-HQ route to add to and/or extend a current Kentucky teaching certificate. Patterned after the High Objective Uniform State Standard of Evaluation (HOUSSE) index, the TC-HQ allows certificate modifications by using a combination of past teaching experience, professional development, awards and achievements, and relevant coursework.

This index is approved by the federal government to determine a teacher's HQ status. The use of the TC-HQ was approved by the EPSB until June 30, 2006. Since its implementation, Mr. Carr reported that 62 individuals have used this route for certification. Anecdotal comments from district superintendents and human resource directors have been very positive with regard to this option, which many believe should be permanent. The current wording of 16 KAR 2:010 requires the TC-HQ option to cease effective June 2006, but the EPSB staff recommended to the Board to extend the option beyond the expiration date of June 2006. An action item for Board approval will be presented at the May 15 Board meeting.

#### **F. 16 KAR 2:140 Probationary Certificate for Teachers of Children, Birth to Primary, Amendment, Notice of Intent; 16 KAR 2:150: Probationary Certificate for Teachers of Technology Education, Amendment, Notice of Intent; 16 KAR 2:160: Probationary Certificate for Teachers of Exceptional Children, Amendment, Notice of Intent; 16 KAR 2:170: Probationary Certificate for Middle School Teachers, Amendment, Notice of Intent**

Mr. Mike Carr discussed with the Board the reasoning behind the amendments to several probationary regulations by explaining that with the passage of the federal No Child Left Behind (NCLB) legislation, the Education Professional Standards Board approved determination of the types of Kentucky teaching certificates that constitute "full state certification." This determination is necessary for schools to determine the "highly qualified" status of core content teachers on the annual Highly Qualified (HQ) Report. Probationary certificates have not been identified as "full state certification" because current EPSB regulations do not specify a set period of time during which all probationary coursework must be completed. In the 2003 EPSB document titled "Identifying 'Highly Qualified' Teachers Pursuant to the No Child Left Behind Act of 2001," the EPSB addressed probationary certificates by stating that regulations would be revised to address the issue of completion time for coursework.

Staff recommend that the EPSB amend language in the four regulations governing the types of probationary certificates to align these with NCLB requirements concerning “full state certification” by establishing a three-year time limit to complete all coursework required. This time limit would allow the granting of a professional certificate in the area sought. 16 KAR 2:150 has also been amended to reflect changes in the governing entities in the area of career and technical education. Mr. Steve Schenk requested a change in wording relative to 16 KAR 2:160 regarding the six hours of training now provided by the educational cooperatives, but which is the responsibility of the Kentucky Department of Education. An action item for final approval will be presented at the May 15, 2006 Board meeting.

**G. 16 KAR 2:020. Occupation-Based Career and Technical Education Certification, Amendment, Notice of Intent**

Mr. Carr explained that in reviewing all career and technical education certificates, university instructors asked EPSB staff to address the current regulation’s (16 KAR 2:020) allowance of occupational proficiency evaluations and assessments in lieu of actual coursework for the renewal of occupation-based certificates. This allowance may delay new teachers’ entry into the required 64-hour planned program. Unfortunately, this delay does not support the need for these teachers to progress in a timely manner toward completion of university coursework.

Mr. Carr indicated that unless the Board had objection to the revision to the regulation, an action item for final approval will be presented at the May 15, 2006 Board meeting.

**H. 16 KAR 3:080. Vocational Education Administrators, Amendment, Notice of Intent**

Mr. Carr reported that the current regulation (16 KAR 3:080) is not clear about who may be hired for the position of career and technical school principal. Since there have been no career/technical principals in certain parts of the state, institutions have hired administrators who hold a regular principal certificate. The Department of Workforce Development and KDE believe there must be more flexibility due to the inevitable regional shortages. EPSB staff has worked with these entities to construct a proposed amendment that would allow the employment of principal candidates who possess a regular principal certificate along with an appropriate career and technical teaching background.

This proposed amendment would also lengthen the teaching experience requirement for such principals to three years. Lengthening the teaching experience requirement would align 16 KAR 3:080 with other regulations governing administrative certificates.

Mr. Carr explained that if the board concurs with staff on the amendment, an action item for final approval will be presented at the May 15, 2006 Board meeting.

**I. 16 KAR 6:020, Written Examination Prerequisites for Occupation-Based Career and Technical Education Teachers, Amendment, Notice of Intent**

Mr. Carr provided the history of the EPSB’s practice of allowing a six-month waiver for newly hired occupation-based career and technical education teachers to successfully complete the Preprofessional Skills Test (PPST). The PPST gives universities assurance that new teachers have sufficient academic skills to succeed in the required 64-hour planned program and in the coursework, which must be complete to retain occupation-based certification.

The Board permitted a six-month waiver by its action at the August 18, 2003 meeting in an attempt to aid university personnel in requiring PPST to be used as a predictive measure regarding the academic abilities of new occupation-based teachers. While the Board supported the need for the PPST, the waiver was allowed because the timing of the assessment dates often prevented schools from hiring new teachers in August since the time

to take and receive scores for the test could not be secured until later in the fall. The Board asked staff to monitor the waiver's implementation and to make a recommendation at a later date whether to amend 16 KAR 6:020.

Mr. Carr reported that staff monitored the implementation and now recommends that the PPST be retained; however, the staff also further recommended that the Compass test, designed by American College Test (ACT), be used as an alternative in cases where timing of new hires is a critical issue. The Compass test is used as a predictive assessment and has the advantage of being available at all locations of the Kentucky Community and Technical College System (KCTCS). In addition, the Compass test can be scored immediately, eliminating the need for the six-month waiver process.

Mr. Carr concluded by reporting that an addition was made to the regulation to reflect the need for an assessment standard for the certification area of Culinary Arts.

Ms. Allen addressed some changes to the draft regulation (16 KAR 6:020) that need to be made. On page 91, line 7 "industrial education" should read "occupation-based certification." Also, on page 94, line 21 should read NOCTI Computer Technology Test (#226) – 63.

An action item for final approval will be presented at the May 15, 2006 Board Meeting.

### **J. 16 KAR 9:040: Part-Time Adjunct Instructor Certificate, Amendment, Notice of Intent**

In reviewing all career and technical education certificates, Mr. Carr proposed adding language to 16 KAR 9:040 that clearly reflects the same prerequisite requirements for the part-time adjunct occupation-based instructor certificate as are required for the full-time instructor certificate. Kentucky Department of Education (KDE) representatives who worked with EPSB staff recommended this change.

Final approval will be presented at the May 15, 2006 Board meeting.

## **Action Items**

### **A. Accreditation Program Reviews**

The Board made the following decisions on the unit accreditation and program approval for Kentucky State University:

#### **Issue 1-Unit Accreditation**

##### **2006-009**

*Motion made by Dr. Wallace Campbell, seconded by Dr. James Cibulka, to accept the recommendation of the AAC and grant continuing accreditation for Kentucky State University.*

**Vote:** *Unanimous*

#### **Issue 2-Program Approval**

##### **2006-010**

*Motion made by Mr. Wilson Stone, seconded by Ms. Ellie Thompson, to accept the recommendation of the AAC and grant approval for the initial level educator preparation programs at Kentucky State University.*

**Vote:** *Unanimous*

The Board made the following decisions on the unit accreditation and program approval for Bellarmine University:

## **Issue 1-Unit Accreditation**

### **2006-011**

*Motion made by Dr. Campbell, seconded by Mr. Steven Lin, to accept the recommendation of the AAC and grant continuing accreditation for Bellarmine University.*

**Vote:** *Unanimous*

## **Issue 2-Program Approval**

### **2006-012**

*Motion made by Ms. Thompson, seconded by Ms. Rita Presley, to accept the recommendation of the AAC and grant approval for the initial and advanced level educator preparation programs at Bellarmine University.*

**Vote:** *Unanimous*

During the review of Bellarmine's programs, the Board was told by EPSB staff and Bellarmine officials of a violation of the NCATE Partnership agreement by the NCATE team. The Board expressed its disappointment with the NCATE/BOE team for failing to follow the appropriate state partnership protocol, thus invalidating the areas for improvement cited in the BOE Report.

### **2006-013**

*Motion made by Dr. Sam Evans, seconded by Mr. Steven Lin, to invite a representative from NCATE to appear before the Board and explain what happened during the Bellarmine visit.*

**Vote:** *Unanimous*

## **B. EPSB Procedure Manual Amendments (including amendment to Alternative Routes to Certification, Reference—adding Option 7—and Election of Officers Procedure, Final Action**

### **2006-014**

*Motion made by Ms. Thompson, seconded by Ms. Linda Livers, to approve the changes to the Procedure Manual.*

**Vote:** *Unanimous*

## **C. 16 KAR 7:020: Kentucky Principal Internship Program (KPIP), Amendment, Final Action**

### **2006-015**

*Motion made by Dr. Cibulka, seconded by Ms. Presley, to approve the amendments to 16 KAR 7:020.*

**Vote:** *Unanimous*

Dr. Sam Evans commented that on page 137, line 17 the word "fails" should be omitted.

## **D. 16 KAR 2:060: School Nurse Certification, Amendment, Final Action**

### **2006-016**

*Motion made by Mr. Stone, seconded by Ms. Livers, to approve the amendments to 16 KAR 2:060.*

**Vote:** *Yes- 10*

*Recuse-1 (Dr. Sam Evans)*

**E. 16 KAR 5:010: Standards for Accreditation of Educator Preparation Units and Approval of Programs, Amendment, Final Action**

In reviewing the final regulation, Dr. Troupe pointed out a minor change on page 172, line 1, the wording “Board of Examiners chair” was omitted and needs to be reinserted and preceded by the word “and.”

**2006-017**

*Motion made by Dr. Cibulka, seconded by Ms. Thompson, to approve the amendment to 16 KAR 5:010.*

**Vote:** *Unanimous*

**Waivers**

**A. Exceptional Children Teacher Assignment Waivers**

**2006-018**

*Motion made by Dr. Evans, seconded by Mr. Kent Juett, to approve staff recommendations for the exceptional children teacher assignment waivers.*

**Vote:** *Unanimous*

**B. Ms. Tracy Dunn—Waiver of 16 KAR 3:040, Section 2(b), Request for Waiver of Teaching Experience for Director of Special Education Certificate**

**2006-019**

*Motion made by Ms. Thompson, seconded by Dr. Evans, to deny the request to waive the requirement of one year of exceptional child classroom experience as a prerequisite for adding Director of Special Education to her certifications.*

**Vote:** *Yes- 8*

*No-1 (Mr. Steven Lin)*

*Recuse- 2 (Mr. Juett, Mr. Stull)*

**C. Ms. Jenny O’Neill—Waiver of 16 KAR 8:020, Section 1, Request for Waiver of Requirements for Rank II**

**2006-020**

*Motion made by Ms. Lorraine Williams, seconded by Dr. Evans, to deny the waiver request to accept Ms. Jenny O’Neill’s master’s degree in Family Studies to satisfy the requirements as an acceptable graduate program for certificate renewal and Rank II.*

**Vote:** *Yes- 7*

*No-4 (Ms. Livers, Mr. Juett, Dr. Cibulka, Mr. Stull)*

Lengthy discussion ensued. Based upon the Board’s discussion, Ms. Allen asked Ms. O’Neill, who was present, if she wished to request a waiver of 16 KAR 4:060 pertaining to certificate renewals and successful teaching experience. Ms. O’Neill concurred.

**2006-021**

*Motion made by Mr. Steven Lin, seconded by Dr. Cibulka, to waive 16 KAR 4:060 and extend Ms. O’Neill’s certificate at her current rank for five years beyond the present expiration date.*



Vote: Unanimous

**D. Ms. Laura Borens—Waiver of 16 KAR 6:010, Praxis II, Request to Waive the Middle School English Language Arts (0049) and/or English, Language, Literature & Composition: Essays (0042)**

2006-022

*Motion made by Dr. Evans, seconded by Ms. Williams, to deny the request to waive the regulation pertaining to the assessments required for Middle School English Certification or Secondary English Certification.*

Vote: Unanimous

**E. Ms. Melissa Lemerand—Waiver of 16 KAR 6:010, Praxis II, Request to Waive, Principles of Learning and Teaching: Grades K-6 (0522), Elementary Education: Content Knowledge and/or Principles of Learning and Teaching: Grades 5-9 (0523), Middle School English, Language Arts (0049), Middle School Science (0439)**

2006-023

*Motion made by Dr. Campbell, seconded by Mr. Juett, to waive the regulation pertaining to assessments for Elementary (P-5) Certification, Praxis Principles of Learning & Teaching (0522) and Elementary Education: Content Knowledge (0014) and accept ICTS (102) Assessment of Professional Teaching and ICTS (110) elementary/middle grades in lieu thereof and not waive the regulation pertaining to the assessment for middle school English and science content.*

Vote: Unanimous

**F. Ms. Christine O’Shea—Waiver of 16 KAR 6:010, Request to Waive Praxis II, Principles of Learning and Teaching: Grades K-6 (0522), Elementary Education: Content Knowledge (0014)**

2006-024

*Motion made by Ms. Thompson, seconded by Mr. Juett, to waive the regulation pertaining to Elementary Education Content Knowledge (0014) and accept MSAT (0140), MSAT (0151), Praxis (0511) and 0011 but do not waive the regulation pertaining to the pedagogy test, Principles of Learning & Teaching (0522).*

Vote: Unanimous

**G. Mr. James Jack—Waiver of 16 KAR 6:010, Request to Waive Praxis II, Principles of Learning and Teaching: Grades K-6 (0522), Elementary Education: Content Knowledge (0014)**

2006-025

*Motion made by Ms. Thompson, seconded by Mr. Juett, to waive the regulation pertaining to content assessments for Elementary (P-5) Certification, Elementary Education Content Knowledge (0014) and accept MSAT (0140) and MSAT (0151) but deny the request to waive 16 KAR 6:010 pertaining to the pedagogy assessment, Principles of Learning & Teaching Grades K-6 (0522).*

Vote: Unanimous

**H. Dr. Lucian Yates, III—Waiver of 16 KAR 5:040, Request to Waive the Cooperating Teacher Eligibility Requirements**

**2006-026**

*Motion made by Dr. Campbell, seconded by Ms. Livers, to approve the request made by Dr. Lucian Yates on behalf of Mr. Daniel Hill to waive 16 KAR 5:040, Section 2(b), allowing Mr. Hill to serve as a cooperating teacher for the Spring of 2006.*

**Vote:** *Unanimous*

**Alternative Route to Certification Exceptional Work Experience Applications**

**A. Mr. John Riglesberger, English as a Second Language, Grades P-12**

**2006-027**

*Motion made by Ms. Thompson, seconded by Ms. Williams, to approve the alternative route to certification application for Mr. Riglesberger.*

**Vote:** *Unanimous*

**B. Mr. Chris Hart, Business, Grades 8-12**

**2006-028**

*Motion made by Ms. Thompson, seconded by Dr. Cibulka, to approve the alternative route to certification application for Mr. Hart.*

**Vote:** *Yes-8*

*No-3 (Ms. Williams, Ms. Presley, Dr. Evans)*

**DISCIPLINARY MATTERS:  
MINUTES OF CASE REVIEW  
March 20, 2006**

*Motion made by Ms. Linda Livers, seconded by Mr. Jim Cibulka, 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. Cibulka, seconded by Ms. Livers, to return to open session.*

**Vote:** *Unanimous*

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

**Tom Stull, James Cibulka, Steve Lin, Linda Livers, Kent Juett, Eleanore Thompson, Sam Evans, Lorraine Williams, Wally Campbell and Rita Presley.**

Attorneys present were Brenda Dinkins Allen and Alicia A. Sneed.

**Initial Case Review**

<u>Case Number</u>	<u>Decision</u>
05-12223	Hear
05-12222	Hear

05-11218	Hear
06-0116	Hear
05-08156	Hear
06-0107	Hear
05-12226	Admonish
05-12227	Admonish
06-0106	Dismiss
05-12230	Dismiss
05-08149	Admonish
06-0112	Admonish
06-0104	Admonish
06-0110	Dismiss
05-09165	Dismiss
05-12229	Hear
05-12221	Hear
05-11219	Admonish ( <i>Mr. Campbell, dissented</i> )
05-12228	Admonish
05-12225	Dismiss
06-0105	Hear
06-0103	Hear
06-0102	Defer
06-0109	Admonish
06-0114	Hear
06-0113	Admonish
06-0115	Hear
05-11213	Hear
06-0234	Hear
05-11212	Dismiss
05-12231	Dismiss
06-0101	Hear
06-0108	Admonish
05-08135	Dismiss
05-0109	Hear
04-09117	Dismiss Without Prejudice

**Character/Fitness Review**

<b><u>Case Number</u></b>	<b><u>Decision</u></b>
99-0499	Approve
06-023	Approve
06-024	Approve
06-025	Approve
06-027	Approve
06-028	Approve
06-029	Approve
06-031	Approve
06-032	Approve
06-033	Approve
06-034	Approve
06-035	Approve

06-007	Approve
06-036	Approve
06-037	Approve
06-038	Approve
06-026	Approve
06-030	Approve
06-039	Approve
05-041	Approve
06-042	Approve
06-043	Approve
06-044	Approve
06-045	Approve
06-046	Approve
06-011	Approve
06-047	Approve
06-018	Approve
06-048	Approve
06-040	Approve
06-049	Approve
06-050	Approve
06-051	Approve
06-052	Approve

**Agreed Orders**

**Case Number**

**04-0569 (Beverly Miller)**

**Decision**

Accept Agreed Order suspending Respondent's certificate for a period of ninety (90) days beginning May 20, 2006. Respondent shall surrender the original and all copies of her certificate immediately, by first class mail or personal delivery to the EPSB, 100 Airport Road, Third Floor, Frankfort, KY 40601. Reinstatement of Respondent's certificate is expressly conditioned upon Respondent providing written evidence to the Board that she has successfully completed three (3) hours of Administrative Code Training with the Kentucky Department of Education and an additional twelve (12) hours of professional development/training in the areas of professional responsibility and ethics. All professional development/training must be approved by the Board and completed at Respondent's expense. If Respondent fails to satisfy this condition, her certificate shall not be reinstated.

**Vote:** Unanimous

05-0118 (Timothy Gentry)

Accept Agreed Order suspending Respondent's certificate for a period of forty five (45) days beginning May 1, 2006. By May 1, 2006, Respondent shall surrender the original and all copies of his certificate to

the EPSB, by delivering or mailing to 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601. Failure to do so will result in further disciplinary action by the Board. Reinstatement of any Kentucky teaching or administrative certificate to Respondent, or on his behalf, at the conclusion of the forty-five (45) day suspension period is expressly conditioned upon Respondent providing written evidence to the Board that he has complied with the following:

Respondent must provide proof that he has received twelve (12) hours of professional development in the area of anger management and twelve (12) hours of professional development in the area of safe crisis management as approved by the Board by June 14, 2006. If Respondent fails to complete this training by June 14, 2006, his certificate will automatically be suspended until such training is completed. Any cost for said training will be born by Respondent.

Respondent's certificate is on probation for a period of two (2) years beginning on May 1, 2006. If Respondent receives another complaint involving inappropriate use of force with a student during this two (2) year period, his certificate will automatically be revoked for a period of three (3) years. Respondent has agreed to waive his right to a due process hearing as provided in KRS 13B during this two (2) year probationary period.

**Vote:** Unanimous

05-0368 (Amy Hall)

Accept Agreed Order revoking Respondent's certificate. Respondent shall surrender the original and all copies of her certificate immediately, by first class mail or personal delivery to the EPSB, 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, KY 40601. Respondent shall neither apply nor be issued a teaching certificate in the Commonwealth of Kentucky for a period of ten (10) years from March 23, 2005. At the conclusion of the ten year period, issuances of any certificate to Respondent or on her behalf is expressly conditioned upon Respondent providing, in addition to proof of any academic requirements, written evidence of the following:

- a. Respondent shall successfully complete twelve (12) hours of professional development/training in the areas of ethics and teacher/student boundary issues as approved by the board. Any expense for said professional development/training shall be paid by Respondent; and
- b. Respondent shall undergo a comprehensive evaluation by a mental health professional

certified and/or licensed in Kentucky to provide sex offender evaluations and treatment. Respondent shall provide this evaluation to the Board along with proof that she has successfully completed any and all treatment recommendations. Any expense for the evaluation and for any recommended treatment shall be paid by Respondent. Should Respondent fail to satisfy either of these conditions, the Board shall deny any application for certification submitted by Respondent or on her behalf.

**Vote:** Unanimous

05-06112 (John Jagers) Accept Agreed Order suspending Respondent's certificate for a period of ten (10) days beginning April 3, 2006. 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, 3<sup>rd</sup> Floor, Frankfort, KY 40601. This settlement agreement is expressly conditioned upon Respondent providing written evidence to the Board that he has successfully completed three (3) hours of Administrative Code Training with the Kentucky Department of Education on or before August 1, 2006. The cost of this training, if any, shall be paid by Respondent. If Respondent fails to satisfy this condition by August 1, 2006, his certificate shall be automatically suspended until such time as this condition is met.

**Vote:** Unanimous

05-0111 (Iris Carter) Accept Agreed Order in which Respondent acknowledged that inappropriate use of discipline with a student violates the Kentucky Code of Ethics for Kentucky School Personnel by failing to protect the health, welfare and safety of a child. Any further misconduct of this nature will not be tolerated by Respondent. Respondent is also required to obtain twelve (12) hours of anger management training if she chooses to use her Kentucky Teaching Certificate at anytime in the future. Respondent must notify the Standards Board of her intent to teach and provide proof that she has obtained the required twelve (12) hours of training. Should Respondent fail to obtain the required training and accept any position in a school system, her certificate will automatically suspended for a period of six (6) months and will remain suspended until proof of the training has been shown. All costs

associated with the training will be born by Respondent.

**Vote:** Unanimous

05-08159 (David Vanlandingham)

Accept Agreed Order in which Respondent agrees to neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky for a period of twenty (20) years from the date of acceptance of this Order by the Board. Moreover, no certificate shall be issued on Respondent's behalf for a period of twenty (20) years from the date of acceptance of this order by the Board. Issuance of any Kentucky teaching or administrative certificate to Respondent, or on his behalf, at the conclusion of the twenty (20) year revocation period is expressly conditioned upon Respondent providing written evidence to the Board, at the time of application, that he has complied with the following: Respondent shall complete twelve (12) hours of professional development/training in the areas of sexual harassment, ethics and appropriate teacher/student relationships and/or boundary issues, as approved by the Board. Any expense incurred for the program shall be paid by Respondent.

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

05-0476 (Mary Doerflinger)

Accept Agreed Order admonishing for her unprofessional conduct in managing student behavior. The Board reminds Respondent that she has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students. An educator should refrain from touching students' jackets, shirts or bodies to direct their behavior unless an emergency or a threatening situation arises. 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 she has received twelve (12) hours of professional development/training in Safe Crisis Management, as approved by the Board, no later than June 30, 2006. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition by June 30, 2006, her certificate will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

**Vote:** Unanimous

Accept Agreed Order suspending Respondent's certificate for a period of ten (10) days beginning April 1, 2006.

Furthermore, Respondent is admonished for his failure to maintain the dignity and integrity of the profession. Although these emails were sent between consenting adults, Respondent should have been cognizant of the fact that students could have viewed these emails. Sexually explicit language of this type should not be produced or transmitted in a school setting. Any further conduct of this type will not be tolerated by the Board. This settlement agreement is expressly conditioned upon the following:

1. Respondent shall provide written proof to the Board that he has received twelve (12) hours of professional development/training in ethics, as approved by the Board, no later than June 30, 2006. Any expense incurred for said training shall be paid by Respondent.
2. Respondent shall provide written proof that he has completed sexual harassment training, as approved by the Board, no later than June 30, 2006. Any expense incurred for said training shall be paid by Respondent.
3. Respondent shall provide written proof to the Board that he has completed twenty (20) hours of community service/volunteer service to state or local 501(c) 3 charitable organizations that provide support and care for critically ill children or to a local hospice organization, as approved by Board, by December 31, 2006.

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

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

**Vote:** Unanimous

05-0361 (Everett McMannis) Accept Agreed Order revoked for a period of ten (10) years from the date this order is approved by the Board. Upon acceptance of this agreement by the Board,



Respondent shall immediately surrender the original and all copies of his certificate to the EPSB, by delivering or mailing to 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601.

Issuance of any Kentucky teaching or administrative certificate to Respondent, or on his behalf, at the conclusion of the ten (10) year revocation period is expressly conditioned upon Respondent providing written evidence to the Board, at the time of application, that he has complied with the following:

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

**Vote:** Unanimous

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

*Consideration of the following matter took place with attorney Alicia A. Sneed out of the room.*

**Case Number**

**Decision**

04-0101 (Calvin Triplett)

Adopt the Hearing Officer's Findings of Fact and Conclusions of Law, Modify the Hearing Officer's Recommended Order and issue a Final Order prohibiting Respondent from applying for a teaching certificate for a period of ten (10) years. For any application for certification after that time period, the respondent bears the burden of demonstrating his fitness to return to the profession as provided by KRS 161.120(11)(a)

**Vote:** Unanimous

95-10167 (Terry Mann)

Adopt the Hearing Officer's Findings of Fact and Conclusions of Law, Modify the Hearing Officer's Recommended Order and issue a Final Order revoking Respondent's active teaching certificates and prohibiting him from applying for any other certifications for a period of five (5) years. The additional two years of revocation beyond the Hearing Officer's recommendation is based upon the serious nature of Respondent's conduct and the long span of years during which he served as a principal without certification by the Board as required by law. For any application for certification after that time period, the respondent bears the burden of demonstrating his fitness to return to the profession as provided by KRS 161.120(11)(a)

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

05-0579 (Deborah Delong)

Adopt the Hearing Officer's Findings of Fact and Conclusions of Law, Modify the Hearing Officer's Recommended Order and issue a Final Order prohibiting Respondent from applying for a teaching certificate for two years. For any application for certification after that time period, the respondent bears the burden of demonstrating her fitness to return to the profession as provided by KRS 161.120(11)(a)

**Vote:** Unanimous

*Motion made by Ms. Thompson, seconded by Ms. Williams, to adjourn the meeting.*

**Vote:** Unanimous

The meeting adjourned at 3:55 PM.

**Next Meeting:**        **May 15, 2006**  
                              **9:00AM**  
                              **EPSB Board Room**  
                              **Frankfort, Kentucky**