

The actions delineated below were taken in open session of the EPSB at the June 17th, 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), 300 Sower Boulevard, 5th Floor, Frankfort, KY 40601.

**Education Professional Standards Board (EPSB)
Minutes
Kentucky Department of Education
300 Sower Boulevard, 5th Floor, Frankfort, KY 40601**

Call to Order

Chair Sarah Burnett called the meeting to order at 9:03 a.m. ET. She read the mission statement to the Board and audience.

Roll Call

The following Board members were present during the June 17, 2019, EPSB meeting:

Melissa Bell, Sarah Burnett, David Graham, Donna Hedgepath, Ellen Murphy, Mike Nemes, Sherry Powers, Jamie Stickler, Steven Thomas, and Rachel Watson.

Open Speak

There were no requests for Open Speak.

Approval of Consent Items

Approval of April 8, 2019, EPSB Meeting Minutes

Board Approval for KEA/NEA Online Trainings

Asbury University: Approval of Proficiency Plan

Eastern Kentucky University: Approval of Proficiency Plan

Georgetown College: Approval of Proficiency Plan

Northern Kentucky University: Approval of Proficiency Plan

Murray State University: Approval of Proficiency Plan

University of the Cumberlands: Approval of Proficiency Plan

Western Kentucky University: Approval of Proficiency Plan

Asbury University Program Approval: Superintendent

Murray State University Program Approval: Rank I in Communication Disorders Rank I

2019-027

Motion made by Mr. Michael Nemes, seconded by Dr. Sherry Powers, to approve the consent agenda items.

Vote: *Unanimous*

Report of the Commissioner

Report from the Education and Workforce Development Cabinet

Deputy Secretary Nemes shared updates from the Education and Workforce Development Cabinet. He reported that the Cabinet's reorganization is going well and that the Office for Early Childhood is now with the Cabinet. Deputy Secretary Nemes also reported that adult education is working with prisons to assist inmates in obtaining their GED's to aid in their transition back into society.

Report from the Council on Postsecondary Education

Dr. Melissa Bell reported that Dr. Aaron Thompson's Listening Tour continued throughout the state in Bowling Green and Frankfort. She noted that students do not feel prepared for college and are concerned about affordability and student debt. Businesses want the council to focus on essential skills or "soft-skills." Dr. Bell noted that the institutions and CPE are monitoring a potential special session on pensions because the issue is critical to the institutions. She noted the Council is making changes to the Statewide Strategic Plan. Dr. Bell noted that the Governor's Symposium on Post-Secondary Education Trusteeship will be held September 16th-17th.

Report of the Associate Commissioner

Associate Commissioner Rob Akers greeted the Board and reported on the transition to an electronic submission process for certification. The Office of Educator Licensure and Effectiveness (OELE) has begun the process to build a comprehensive, online platform. He also reported that OELE brought in leaders from the Urban Schools Human Capital Academy to work with districts on how to develop systems and skills around recruiting and retaining effective teachers. Associate Commissioner Akers reported that in the 2016-2017 academic year, the state's educator preparation providers prepared roughly 4,800 teachers and in the 2017-2018 year, that number dropped to 4,300. He reported that staff will be attending the upcoming KACTE conference to conduct a collaborative work session on improving and streamlining the educator preparation program review process. Mr. Akers stated that the office is continuing work on the "State-Only" accreditation process and will present updates to the Board at the August meeting.

Other Updates

Dr. Lewis spoke about the new summer 'Stride, Don't Slide' program to help families help their children fight summer reading and math regression. The Commissioner also reported on significant shortages of teachers in critical areas. He said the leadership of the EPSB is critical in helping to address this issue and asked the Board to help find ways to better prepare elementary school teachers to meet the content needs of students without putting a greater burden on teachers. Commissioner Lewis said that the Kentucky Department of Education (KDE) will soon undertake a campaign to recruit teachers to the profession. One element of that campaign will focus on highlighting alternative routes to the classroom, especially in critical shortage areas like career and technical education and special education. The campaign will launch in early fall.

Commissioner Lewis introduced KDE Chief Digital Officer Marty Park to discuss the need for more computer science teachers in KY. Mr. Park said the next step is ensuring there are enough teachers to keep up with the demand for courses. Mr. Park said KDE's recommendation for filling

the need centers on:

- Expanding the opportunities for high-quality endorsements, perhaps through cohort models and peer coaching models;
- Re-examining LEAD content areas within the new definition of computer science; and
- Moving away from manual clearances to a formal, performance-based, incentivized model for computer sciences as a whole rather than individual courses.

Chair Burnett applauded KDE's efforts, saying that another important component of combating the teacher shortage is to encourage K-12 students to enter the teaching profession.

Report of the Chair

Chair Burnett recognized Steven Thomas for serving as the EPSB representative to Kentucky Career and Technical Education Task Force.

Information/Discussion Items

Guidelines for Continuing Education Option, Plan II

Ms. Sharon Salsman presented information about CEO, Plan II Guidelines.

Kentucky Standards for School Counselor Preparation Programs

Dr. Eve Proffitt and Dr. Damien Sweeney reported on the progress of the School Counselor Standards Review Committee, and presented the proposed Kentucky Standards for School Counselor Preparation Programs.

16 KAR 6:031, Notice of Repeal of 16 KAR 6:030

Ms. Cassie Trueblood presented the proposed regulation 16 KAR 6:031 to repeal 16 KAR 6:030.

Action Items

EPSB Regulation Review, Part II

2019-028

Motion made by Dr. Powers, seconded by Mr. Nemes, to approve.

Vote: *Unanimous*

Council for the Accreditation of Educator Preparation Standards for Advanced Programs

2019-029

Motion made by Dr. Donna Hedgepath, seconded by Mr. David Graham, to approve.

Vote: *Unanimous*

16 KAR 5:040. Request to Waive Use of the Kentucky Field Experience Tracking System

2019-030

Motion made by Dr. Powers, seconded by Dr. Hedgepath, to approve.

Vote: *Unanimous*

Waivers

16 KAR 5:040. Request to Place an Out-of-State Student Teacher in a Kentucky District

2019-031

Motion made by Mr. Graham, seconded by Ms. Ellen Murphy, to approve the waiver.

Vote: *Unanimous*

16 KAR 4:060. Request to Waive Renewal Requirements due to Work Related Injury

2019-032

Motion made by Ms. Murphy, seconded by Mr. Graham, to deny the waiver.

Vote: *Unanimous*

16 KAR 2:120. Request to Waive Emergency Certificate Requirements for Hope Lacefield

2019-033

Motion made by Mr. Nemes, seconded by Mr. Steven Thomas, to approve the waiver.

Vote: *Unanimous*

16 KAR 2:120. Request to Waive Emergency Certificate Requirements for Ashley Smith

2019-034

Motion made by Dr. Hedgepath, seconded by Mr. Graham, to approve the waiver.

Vote: *Unanimous*

16 KAR 2:120. Request to Waive Emergency Certificate Requirements for Samantha Fowler

2019-035

Motion made by Ms. Murphy, seconded by Mr. Stickler, to approve the waiver.

Vote: *Unanimous*

16 KAR 2:120. Request to Waive Emergency Certificate Requirements for Michael Bramlett

2019-036

Motion made by Mr. Thomas, seconded by Ms. Rachel Watson, to approve the waiver.

Vote: *Unanimous*

16 KAR 2:120. Request to Waive Emergency Certificate Requirements for Jason Jennings

2019-037

Motion made by Mr. Thomas, seconded by Mr. Graham, to approve the waiver.

Vote: *Unanimous*

16 KAR 2:010. Request to Waive Grade Level Restrictions for Two Owsley County Teachers

2019-038

Motion made by Mr. Jamie Stickler, seconded by Ms. Watson, to approve the waiver.

Vote: *Unanimous*

Alternative Route to Certification Applications

Benjamin Evans, Science, Grades 5-9

2019-039

Motion made by Mr. Graham, seconded by Ms. Watson, to approve the certification.

Vote: Unanimous

Tatyana Pinyayev, Chemistry, Grades 8-12

2019-040

Motion made by Ms. Murphy, seconded by Dr. Hedgepath, to approve the certification.

Vote: Unanimous

Board Comments

There were no Board comments.

Motion made by Mr. Thomas seconded by Dr. Powers, to go into closed session to conduct a character and fitness review and to review potential actions relating to complaints and reports in accordance with KRS 61.810(1) (c) & (j).

Vote: Unanimous

Motion made by Ms. Watson seconded by Dr. Powers, to return to open session.

Vote: Unanimous

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

Sarah Burnett, David Graham, Donna Hedgepath, Ellen Murphy, Sherry Powers, Jamie Stickler, Steven Thomas, Rachel Watson, Melissa Bell and Mike Nemes.

Attorneys present were Luke Gilbert, BreAnna Listermann, Cassie Trueblood, and Chelsea Young.

Initial Case Review

<u>Case Number</u>	<u>Decision</u>
190153	Attorney Review
1902171	Admonish
1902169	Admonish
1904393	Admonish
1902175	Admonish
1902173	Admonish
1902177	Admonish
1903297	Attorney Review
18111337	Attorney Review
1903295	Attorney Review
190115	Attorney Review
1902155	Admonish & Training
1902151	Attorney Review
1902153	Admonish & Training
1902163	Admonish

1902161	Attorney Review
190133	Dismissed
1902231	Defer for Training
1902229	Defer for Training
1903281	Admonish & Training
1903279	Attorney Review
1903299	Attorney Review
1902159	Attorney Review
1903315	Attorney Review
1903291	Attorney Review
190111	Attorney Review
1902199	Admonish
190151	Attorney Review
1902207	Dismissed
1903277	Admonish & Training
1902205	Defer for Training
1903275	Attorney Review
1903301	Dismissed
1904403	Dismissed
1902227	Admonish & Training
1902217	Admonish & Training
1903283	Admonish & Training
18111325	Attorney Review
1902201	Admonish & Training
1902197	Dismissed
190147	Admonish
190161	Defer for Training
190175	Dismissed
1904357	Dismissed
1902219	Dismissed
1903285	Admonish & Training
1902189	Attorney Review
1902203	Attorney Review
1902215	Attorney Review
1902221	Attorney Review
1903287	Attorney Review
1903289	Attorney Review
19013	Attorney Review
1903305	Attorney Review
1903311	Dismissed
1902193	Admonish & Training
1902183	Attorney Review
1902195	Admonish & Training
1902209	Admonish & Training
1903313	Dismissed
190113	Admonish

110121	Refer to Hearing
1412847	Refer to Hearing
1407440	Refer to Hearing
1407475	Refer to Hearing
16121057	Refer to Hearing
1902211	Refer to Hearing
18071053	Attorney Review
1806875	Attorney Review
1803323	Attorney Review
1103235	Dismissed
1202140	Dismissed
1207429	Dismissed
1507483	Dismissed
1705938	Dismissed
1412831	Dismissed
17121699	Dismissed
16121099	Dismissed
1806889	Dismissed
190127	Dismissed
18071031	Dismissed
1902213	Dismissed
18081161	Dismissed
18081187	Dismissed
18081169	Dismissed
190181	Dismissed
190173	Dismissed

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
19354	Deny
19391	Approve
19450	Approve
19504	Approve
19503	Approve
19502	Approve
19522	Approve
19529	Approve
19525	Approve
19555	Approve
19583	Approve
19596	Approve
19597	Defer
19589	Approve on the condition that the allegations may be reviewed by the Board at a later date pursuant to the Board's Procedures Relating to Board Action on an Educator's Certification.
19663	Approve

19641	Approve
19725	Deny
19721	Approve
19789	Approve
19307	Approve
19812	Approve
19640	Approve on the condition that the allegations may be reviewed by the Board at a later date pursuant to the Board's Procedures Relating to Board Action on an Educator's Certification.
19882	Approve
19893	Approve
19389	Approve
19396	Approve
181491	Approve
19456	Approve
19459	Approve
19514	Approve
19673	Defer

Agreed Orders

Case Number

18101279 Maria Cabalza Cruz

Decision

Accept Agreed Order stating Cabalza Cruz shall not apply for nor be issued any emergency teaching certificate, including emergency substitute certification. Cabalza Cruz shall be issued a temporary provisional or statement of eligibility upon providing proof that she has met the academic and testing requirements necessary for issuance of a certificate and upon providing proof that she has complied with the following conditions:

1. Cabalza Cruz shall provide written proof to the Board that she has completed a course on educator ethics training as approved by the Board. Cabalza Cruz shall pay any expense incurred.
2. Cabalza Cruz shall provide written proof to the Board that she has successfully completed a course on classroom management/de-escalation as approved by the Board. Cabalza Cruz shall pay any expense incurred.

Cabalza Cruz will not be issued any certification until such conditions are satisfied.

Vote: *Unanimous*

18071047 Johnathan Rogers

Accept Agreed Order admonishing Rogers for exercising poor professional judgment. The Board will not tolerate any further incidents of misconduct from Rogers. The Board reminds Rogers of his ethical duty to take reasonable measures to protect the health, safety and emotional well-being of his students. The Board will not tolerate any further incidents of misconduct from Rogers.

Rogers is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1803357 Yael Bass

Accept Agreed Order stating Case No. 1803357 shall be dismissed conditional upon Bass providing proof that she has completed a course on classroom management. Bass shall pay for any expense incurred.

Bass is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

18111329 Paul Cestarcic

Accept Agreed Order admonishing Cestarcic for exercising poor professional judgment. The Board reminds Cestarcic of his ethical duty to take reasonable measures to protect the health, safety and emotional well-being of his students. The Board will not tolerate any further incidents of misconduct from Cestarcic.

Certificate Number 200218422 including any and all endorsements, is hereby subject to the following probationary conditions for a period of one (1) year from the date the Board accepts this Agreed Order:

1. On or before October 1, 2019, Cestarcic shall provide written proof to the Board that he has completed a course on educator ethics training as approved by the Board. Cestarcic shall pay any expense incurred. If Cestarcic fails to satisfy this condition, Certificate Number 200218422 shall be administratively suspended until such condition is satisfied.
2. On or before October 1, 2019, Cestarcic shall provide written proof to the Board from a Kentucky licensed

or certified psychiatrist or mental health professional that he has complied with a comprehensive evaluation and is fit to be in the classroom, is not a danger to himself or others, and is compliant with all treatment recommendations. If the evaluating psychiatrist or mental health professional recommends ongoing treatment, Cestarc shall provide the Board with yearly written reports that he is compliant with all treatment recommendations and is not a danger to himself or others. Cestarc shall pay any expense incurred. If Cestarc fails to satisfy this condition, Certificate Number 200218422 shall be administratively suspended until such condition is satisfied.

3. For the entirety of the probationary period, Cestarc shall not receive any disciplinary action related to threatening statements or physical contact from any school district he is employed. "Disciplinary action" is defined as any termination, suspension, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process. If Cestarc fails to satisfy this condition, Certificate Number 200218422 shall be administratively suspended pending review and disposition by the Board.

Cestarc is aware that should he violate KRS 161.120, either during or following this probation, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

190143 Tim Whitis

Accept Agreed Order admonishing Whitis for exercising poor professional judgment. The Board reminds Whitis of his ethical duty to take reasonable measures to protect the health, safety and emotional well-being of his students. The Board will not tolerate any further incidents of misconduct from Whitis.

Certificate Number 199603758, including any and all endorsements, is hereby subject to the following probationary conditions for a period of two (2) years:

1. On or before January 1, 2020, Whitis shall provide written proof to the Board that he has completed a course on educator ethics training with an emphasis on student teacher boundaries, as approved by the Board. Whitis shall pay any expense incurred. If Whitis fails to satisfy this condition, Certificate Number 199603758 shall be administratively suspended until such condition is satisfied.
2. During the probationary period, Whitis shall not receive any disciplinary action from any school district he is employed. "Disciplinary action" is defined as any termination, suspension, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process. If Whitis fails to satisfy this condition, Certificate Number 199603758 shall be automatically suspended pending review and disposition by the Board.

Whitis is aware that should he violate KRS 161.120, either during or following this probation, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1804669 Jasmine Collins

Accept Agreed Order retroactively suspending Certificate Number 201163622 for a period of 45 days from May 15, 2018 to June 29, 2018.

Collins is not currently employed in a position that requires Kentucky teacher certification. Prior to beginning a position that requires certification, Collins shall undergo a comprehensive substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor as approved by the Board and shall present written evidence to the Board that she has complied with the assessment process and has successfully completed any and all treatment recommendations. If Collins requires continued treatment as recommended by the counselor, she shall submit quarterly written progress reports from her chemical dependency counselor until such time as the counselor releases her from her treatments. If Collins fails to provide this written proof prior to beginning a position that requires certification,

Certificate 201163622 shall be administratively suspended until the proof is provided.

Prior to beginning a position that requires certification, Collins shall provide written proof to the Board that she has taken a course of professional development/training on the topic of the Professional Code of Ethics for Kentucky School Certified Personnel as approved by the Board. Any expense for this professional development/training shall be paid for by Collins. If Collins fails to provide this written proof prior to beginning a position that requires certification, Certificate 201163622 shall be administratively suspended until the proof is provided.

If Collins should accept a position that requires Kentucky Teacher certification, Certificate 201163622 shall be under a two (2) year probationary period starting from the date she begins her employment and shall be subject to the following condition:

For the two (2) year probationary period, Collins shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) involving the use and/or possession of any controlled substance or alcohol. If Collins is convicted of, or enters a guilty or no contest plea, to any criminal charge involving the use and/or possession of any controlled substance or alcohol, she shall submit this information to the Board, in writing, within thirty (30) days.

Failure to uphold this condition will result in Certificate 201163622 being administratively suspended pending further Board review and disposition.

Collins is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1902167 Joshua Preece

Accept Agreed Order suspending Certificate 200222609 from June 1, 2019, to July 15, 2019, a period of 45 days. Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky during the suspension period.

Preece has provided proof that he has completed a comprehensive substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor as approved by the Board, that he has complied with the assessment process, and that he has successfully completed any and all treatment recommendations.

On or before June 1, 2020, Respondent shall provide written proof to the Board that he has taken a course of professional development/training on the topic of educator ethics as approved by the Board. Any expense for this professional development/training shall be paid for by Respondent. If Respondent fails to provide this written proof by June 1, 2020, Certificate 200222609 shall be administratively suspended pending Board review and disposition.

At the end of the 45 day suspension period, Certificate 200222609 shall be under a two (2) year probationary period and subject to the following conditions:

During the first year of the probationary period, Respondent shall be subject to random drug testing, to be administered by a provider approved by the Board, and shall receive no drug test that is positive for any illegal substance or that is in excess of therapeutic levels generally accepted in the medical community. Respondent shall pay any expense incurred.

For the two (2) year probationary period, Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) involving the use and/or possession of any controlled substance or alcohol. If Respondent is convicted of, or enters a guilty or no contest plea, to any criminal charge involving the use and/or possession of any controlled substance or alcohol, he shall submit this information to the Board, in writing, within thirty (30) days.

Failure to comply with any the above probationary conditions will result in Certificate 200222609 being automatically suspended pending Board review and disposition.

Preece is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

0912629 Darrell Patrick

Accept Agreed Order revoking Certificate Number 200005010 for a period of twenty (20) years from the date the Board approves this Order. Patrick shall neither apply for nor be issued a teaching or administrative certificate in the Commonwealth of Kentucky during the revocation period. Upon acceptance of this agreement by the Board, Patrick shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

In addition to the standard requirements of the application process, before Patrick shall be reissued any certificate, he must comply with the following:

1. Patrick shall provide written proof to the Board that he has completed a comprehensive alcohol/substance abuse assessment by a Kentucky licensed or certified chemical dependency counselor, as approved by the Board. Patrick shall also submit written proof to the Board that he has successfully completed any and all treatment recommendations proposed by the counselor and is competent to fulfill his duties as a certified educator. Any expense for the assessment, treatment, and/or written reports shall be paid by Patrick.
2. Patrick shall provide written proof to the Board that he has successfully completed twelve (12) hours of training on the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense incurred for said training shall be paid by Patrick.

Should Patrick fail to satisfy either of these conditions, the Board shall automatically deny any application submitted by Patrick or on his behalf.

Upon reissuance of Certificate Number 200005010, Patrick shall be on permanent probation and subject to the following probationary conditions:

1. Patrick shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. Patrick shall submit a copy

of his current national and state criminal record check by January 1st of each year of the probationary period. Any expense required to satisfy this condition shall be paid by Patrick. If Patrick fails to satisfy this condition, Certificate Number 200005010 shall be automatically suspended pending Board review and disposition.

2. In accordance with KRS 161.175, Patrick shall submit to random drug testing during the probationary period, to be administered by a provider approved by the Board, and shall receive no drug test positive for illegal substances or in excess of therapeutic levels generally acceptable in the medical community. Any expense required for the drug testing shall be paid by Patrick. If Patrick fails to satisfy this condition, Certificate Number 200005010 shall be automatically permanently revoked.

Patrick is aware that should he violate KRS 161.120, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1412864 Julie Murray

Accept Agreed Order suspending Certificate Number 201126740 for ninety (90) days. Murray shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky during the suspension period.

Murray is admonished for conduct unbecoming of an educator. The Board reminds Murray that as a certified educator in the Commonwealth of Kentucky, she has a duty to uphold the Professional Code of Ethics in the future. The Board will not tolerate any further incidents of misconduct by Murray.

Additionally, prior to accepting any teaching or administrative position, Murray must complete a drug and alcohol assessment by a Board approved provider and follow any recommendations provided.

Upon reinstatement, Certificate number 201126740 will be on probation for a period of two (2) years with the following condition:

1. Murray shall not receive any disciplinary action from any school district in the Commonwealth of Kentucky.

“Disciplinary action” is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested by either tribunal/ or arbitration process. If Murray fails to satisfy this condition, any certificate issued to Murray shall be automatically suspended pending further board review and disposition.

Failure to abide by the probationary condition will result in an automatic suspension pending Board review and disposition.

Murray is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1408632 Michael McLane

Accept Agreed Order suspending Certificate Number 200166665 for a period of two (2) years.

McLane is admonished by the Board for failing to maintain the dignity and integrity of the profession. McLane is reminded that a teacher must set the correct example for students. The Board will not tolerate any further misconduct from McLane.

McLane is not currently teaching and has no immediate plans to re-enter the profession. However, upon completion of his suspension period but prior to accepting a certified position, in addition to any educational requirements, reinstatement is expressly conditioned upon the following:

1. McLane shall provide written proof to the Board that he has completed a comprehensive alcohol/substance abuse assessment by a Kentucky licensed or certified chemical dependency counselor as approved by the

Board. McLane shall also submit written proof to the Board that he has successfully completed the assessment and proof of any recommendations provided by the counselor. Any expense for the assessment, treatment, and/or written reports shall be paid by McLane.

2. McLane shall provide written proof to the Board that he has completed a fit for duty assessment, by a Kentucky licensed or certified mental health provider, as approved by the Board, and is found competent to fulfill his duties as a certified educator. Any expense for assessment, treatment or written reports shall be paid by McLane.
3. McLane shall provide written proof to the Board that he has completed twelve (12) hours of professional development training in the areas of anger management and educator ethics. Any expense incurred for said training shall be paid for by McLane.

Upon reinstatement, McLane's certificate number 200166665, and any future endorsements or new areas of certification, shall be on probation for a period of five (5) years and subject to the following probationary conditions:

1. McLane shall not be convicted of, nor enter a guilty or no contest plea to any criminal charge(s).
2. McLane shall submit a copy of his state background check, as prepared by the Kentucky State Police or Administrative Office of the Courts, to the Board by July 1st of every year during the probationary period. Any expense shall be paid for by McLane.

If McLane fails to satisfy any of these conditions his certificate shall be immediately suspended ending Board review and disposition.

McLane is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1405280 Karen Treece

Accept Agreed Order stating By May 1, 2019, Treece shall provide written proof to the Board that she has completed proper reporting utilization training, as approved by the Board. Treece shall pay any expense incurred. If Treece fails to satisfy this condition by May 1, 2019, Certificate Number 200301655 shall be administratively suspended until such condition is satisfied.

Treece is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1511741 Blair Butler

Accept Agreed Order suspending Certificate Number 199701395 for a period thirty (30) days.

Furthermore, upon acceptance of this agreement by the Board, Butler is admonished for neglect of duties as an assistant principal. The Board reminds Butler that as a certified educator in the Commonwealth of Kentucky, he has a duty to uphold the Professional Code of Ethics in the future. The Board will not tolerate any other incidents of misconduct by Butler.

Butler has retired and has no immediate plans to return to the classroom. Should Butler accept a certified position in the future, Butler shall comply with the following conditions prior to accepting a certified position in the Commonwealth of Kentucky:

1. Butler shall provide written proof to the Board that he has completed a training course on ethics for educators. Any expense involved in meeting this requirement shall be paid by Butler. If Butler fails to satisfy this condition, Certificate Number 199701395 shall be automatically suspended until the condition is met.

Furthermore, upon acceptance of a certified position, Certificate Number 199701395 shall be on five (5) year probation with the following condition:

1. During the probationary period, Butler shall not receive any disciplinary action. "Disciplinary action" is defined as any suspension, termination, or public

reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested by either tribunal or arbitration process. If Butler fails to satisfy this condition, Certificate Number 199701395 shall be automatically suspended pending further investigation by the Board.

Butler is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1702107 Tabatha Hoover

Accept Agreed Order stating Case No. 17-02107 shall be dismissed without prejudice.

1. Hoover has provided written proof to the Board that she completed 12 hours of Listening to the Learners, Elements of Student Engagement.
2. Hoover has provided written proof to the Board that she has completed 18 hours of Special Education training and 3 hours of Safe Crisis Management training.
3. Hoover has provided written proof to the Board that she has completed an additional 36.5 hours of professional development for the 2017-2018 school year on topics such as Literacy, Math, and Using Standards to Develop IEPs.

Hoover is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

16121131 Francis O'Hara

Accept Agreed Order stating O'Hara has provided two (2) professional recommendation letters.

O'Hara shall provide written proof to the Board that he has completed twelve (12) hours of professional development by September 1, 2019. Any expense required for said training shall be paid by O'Hara. If O'Hara fails to satisfy this condition, certificate number 200004248 shall be

automatically suspended until O'Hara completes the required training and provides the appropriate written proof to the Board.

O'Hara is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous (Ms. Bell recused)*

1210610 Walkyria Davila-Beegle Accept Agreed Order admonishing Beegle for exercising poor professional judgment, and for failing to maintain the dignity and integrity of the profession by creating an unprofessional work/school environment and permitting others to do the same. Beegle is reminded that as principal, she has a duty to carry herself in a dignified, respectful, professional, and ethical manner and ensure her staff do the same. The Board will not tolerate any further misconduct from Beegle.

By October 1, 2019, Beegle shall provide written proof to the Board that she has successfully completed twelve (12) hours of educator ethics training, as approved by the Board. Any training completed in the last two (2) years will be considered to satisfy this requirement. Any expense incurred for said training shall be paid by Beegle. If Beegle fails to satisfy this condition, Certificate Number 200117824 shall be administratively suspended until Beegle provides the appropriate written proof to the Board.

Should Beegle violate the above conditions, certificate number 20011782 shall be automatically suspended pending Board review and disposition.

Beegle is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

140277 Michel Stephens Accept Agreed Order retroactively suspending Stephen's teaching certificate, number 201153651 for a period of forty-five (45) days from October 12, 2012 until November 27, 2012.

Further, upon accepting any teaching and/or administrative position, in any capacity, in any school district in the Commonwealth of Kentucky, Stephens' teaching certificate shall be on probation for a period of two (2) years and subject to the following probationary condition:

1. In accordance with KRS 161.175, Stephens shall submit to random drug testing during the probationary period, to be administered by a provider approved by the Board, and shall receive no drug test positive for illegal substances or in excess of therapeutic levels generally acceptable in the medical community. Any expense required for the drug testing shall be paid by Stephens. Failure to comply with this condition will result in the automatic suspension of Stephens' license pending Board review and disposition.

Stephens is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

18111359 Roger Williams

Accept Agreed Order stating Certificate Number 200234802 is expired. Williams shall neither apply for nor be issued any teaching, administrative or emergency certificate in the Commonwealth of Kentucky at any time in the future. Any future application submitted by Williams, or on his behalf, shall be denied.

Vote: *Unanimous*

1804633 Charanda Fugate

Accept Agreed Order stating Certificate Number 201106057 is expired. Fugate shall neither apply for nor be issued any teaching, administrative or emergency certificate in the Commonwealth of Kentucky at any time in the future. Any future application submitted by Fugate, or on her behalf, shall be denied.

Vote: *Unanimous*

1804557 Clara Perez

Accept Agreed Order stating Perez shall not participate in state testing until she provides written proof to the Board that she has completed Administration Code training. If Perez fails to satisfy this condition, Certificate Number 201199075

shall be administratively suspended until she provides the appropriate written proof to the Board.

Vote: *Unanimous*

18111321 Kathy McGinnis

Accept Agreed Order stating McGinnis is currently retired, and has no immediate plans to return to the education profession. Within one (1) year of accepting a certified position in Kentucky:

1. McGinnis shall provide written proof to the Board that she has completed educator ethics training, as approved by the Board. McGinnis shall pay any expense incurred. If McGinnis fails to satisfy this condition, Certificate Number 15013 shall be administratively suspended until such condition is satisfied.
2. McGinnis shall provide written proof to the Board that she has completed professionalism training, as approved by the Board. McGinnis shall pay any expense incurred. If McGinnis fails to satisfy this condition, Certificate Number 15013 shall be administratively suspended until such condition is satisfied.

McGinnis is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action.

Vote: *Unanimous*

1309681 Jared Murray

Accept Agreed Order stating Murray is not currently employed in the classroom. Murray shall neither apply for nor accept a position that requires certification in the Commonwealth of Kentucky at any time in the future. Should Murray fail to satisfy this condition, Certificate Number 000078359 shall be automatically and permanently revoked.

Murray is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

190139 Victor Jenkins

Accept Agreed Order stating on or before June 1, 2020,

Jenkins shall provide written proof to the Board that he has taken a course of training on the subject of Appropriate Student-Teacher Boundaries, as approved by the Board. Any cost for said training shall be paid for by Jenkins. If Jenkins fails to provide the proof by June 1, 2020, Certificate 201186258 will be administratively suspended until such time as Jenkins provides the proof.

On or before June 1, 2020, Jenkins shall provide written proof to the Board that he has taken a course of training on the subject of the Professional Code of Ethics for Kentucky School Certified Personnel, as approved by the Board. Any cost for said training shall be paid for by Jenkins. If Jenkins fails to provide the proof by June 1, 2020, Certificate 201186258 will be administratively suspended until such time as Jenkins provides the proof.

Upon the Board's acceptance of this Agreed Order, Certificate 201186258 shall be under a two (2) year probationary period, and subject to the following condition:

Jenkins shall receive no disciplinary action related to student-teacher boundaries during the probationary period. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process. If Jenkins receives disciplinary action related to student-teacher boundaries during the probationary period, Certificate Number 201186258 will be automatically suspended pending Board review and disposition.

Jenkins is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

CF181844 Freddie Greene

Accept Agreed Order stating Greene shall be issued a Kentucky teaching certificate after providing written proof that his Kentucky license to practice law has been reinstated, and that he has met the academic and testing requirements necessary for issuance of a certificate, and has completed the following:

Prior to or within six (6) months of issuance of a Kentucky teaching certificate, Greene shall submit written proof to the Board that he has completed three (3) hours of educator ethics professional development or training, as approved by the Board. Greene shall pay any expense incurred. Failure to comply with this condition will result in Greene's certificate being administratively suspended until said condition is satisfied.

Any and all certificates issued to Greene shall be subject to the following permanent probationary condition:

During the probationary period, Greene shall not receive any discipline from a Kentucky school district. If Greene fails to uphold this condition, any certificates issued to him shall be administratively suspended pending further Board review and disposition.

"Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process, including any appeal therefrom. If the tribunal amends the disciplinary action or if Respondent agrees to amend the disciplinary action through arbitration, the new disciplinary action if a suspension, termination, or public reprimand shall be considered a violation of this condition.

Vote: *Unanimous*

18081123 Regina Saulsberry

Accept Agreed Order stating Certificate Number 201206265 has expired and Saulsberry is not currently teaching. Prior to renewing any certification, Saulsberry shall provide written proof to the Board that she has successfully completed training in educator ethics and in classroom management. Any expense incurred for said training shall be paid by Saulsberry.

Saulsberry is aware that should she violate KRS 161.120 the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1402120 Bernard Wicker

Accept Agreed Order stating Wicker voluntarily,

knowingly, and intelligently surrenders his certificate number 000038419, and agrees to not apply for, nor be issued, a teaching or administrative certificate in the Commonwealth of Kentucky at any time in the future. Upon the acceptance of this agreement by the Board, Wicker shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 300 Sower Blvd, 5th floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

1504169 Edwin DeJesus

Accept Agreed Order stating DeJesus shall not apply for nor be issued any emergency teaching certificate, including emergency substitute certification. DeJesus shall be issued a temporary provisional or statement of eligibility upon providing proof that he has met the academic and testing requirements necessary for issuance of a certificate and upon providing proof that he has complied with the following conditions:

1. DeJesus shall provide written proof to the Board that he has successfully completed a course in the area of appropriate student/teacher boundaries, as approved by the Board. Any expense incurred for said training shall be paid by DeJesus.
2. DeJesus shall provide written proof to the Board that he has successfully completed a course in the area of educator ethics, as approved by the Board. Any expense incurred for said training shall be paid by DeJesus.

Any and all certificates issued to DeJesus shall be subject to the following probationary condition for a period of five (5) years.

During the probationary period, DeJesus shall not receive any disciplinary action from any school district in which he is employed. "Disciplinary action" is defined as any termination, suspension, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process. If DeJesus fails to satisfy this condition, his certificate shall be automatically suspended pending review and disposition by the Board.

DeJesus is aware that should he violate KRS 161.120, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1405260 Trisha Withey

Accept Agreed Order stating Currently Withey is unable to return to the classroom due to medical issues and her certification expires June 30, 2019. Withey agrees not to renew certificate number 200100994 for a minimum of six (6) months.

The Board directs and Withey acknowledges that she, like all teachers and school administrators, has a professional responsibility to treat colleagues with dignity and respect in all circumstances. Civilly articulated disagreements between educators are not undignified, disrespectful, unprofessional, or unethical, and do not violate the Professional Code of Ethics for Kentucky School Personnel.

Withey is admonished for using excessive force with students. As a professional educator, Withey must treat each and every student with dignity and respect no matter the circumstance. A teacher in the Commonwealth of Kentucky has a duty to protect the health, welfare, and safety of her students. The Board reminds Withey that, as an educator, she must set a positive example for her students. The Board recognizes that students will misbehave and disrupt the classroom; however, certified teachers are expected to handle these situations rationally and judiciously, and not react in a juvenile manner to juvenile behavior.

Finally, Withey is admonished for exercising poor professional judgment, and failing to supervise her students. When an educator fails to supervise her classroom, students are at risk for both emotional and physical harm. Permitting kindergarten students access to scissors without supervision is unacceptable and clear violation of the Professional Code of Ethics for Kentucky School Personnel. Withey must ensure she does not place her students in potentially harmful situations. The Board will not tolerate any further incidents of misconduct from Withey.

If Withey should decide to renew her certification after the six (6) month period, prior to issuance she shall:

1. Provide written proof to the Board, from a licensed/certified psychiatrist or mental health professional, as approved by the Board, that she has complied with a comprehensive evaluation and is fit to return to the classroom, presents as capable of performing her duties as an education, is not a danger to herself or others, and is compliant with all treatment recommendations. Withey shall not be issued a certificate until this condition is satisfied. Any expense incurred for said evaluation and follow-up shall be paid for by Withey.
2. Provide written proof to the Board that she has completed twelve (12) hours of Professional Development training relating to classroom management and educator ethics before a certificate is issued. Any expense for said training shall be paid for by Withey, Withey shall not be issued a certificate until this condition is complete.

Furthermore, upon issuance, any certificate issued to Withey shall be on a two (2) year probation and subject to the following conditions:

1. During the probationary period, Withey shall not receive any disciplinary action from any school district in the Commonwealth of Kentucky.

“Disciplinary action” is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested by either tribunal/ or arbitration process. If Withey fails to satisfy this condition, any certificate issued to Withey shall be automatically suspended pending further board review and disposition.

Withey is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

proof to the Board that he has successfully completed the required Professional Development training.

Duncan is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

Recommended Order

Case Name

CF 181961 Marcel Williams

Decision

Accept the hearing officer's Findings of Fact, and Recommended Order. Modify the hearing officer's Conclusions of Law in paragraph 6 to read: "The Petitioner's 2011 conviction under KRS 218A.1421, trafficking in marijuana, and his 2016 guilty plea to a charge under KRS 218A.210, controlled substance prescription not in original container, constitute fraudulent, corrupt, dishonest or immoral acts in violation of KRS 161.120(1)(c)."

Vote: *Unanimous*

Motion made by Mr. Nemes seconded by Mr. Thomas to adjourn the meeting.

Vote: Unanimous

Meeting adjourned at 1:01 p.m.