

EPSB Mission Statement

The Education Professional Standards Board, in full collaboration and cooperation with its education partners, promotes high levels of student achievement by establishing and enforcing rigorous professional standards for preparation, certification, and responsible and ethical behavior of all professional educators in Kentucky.

**EPSB Meeting Agenda
Kentucky Department of Education
300 Sower Boulevard, 5th Floor, Frankfort, KY 40601**

Monday, April 8, 2019

EPSB Waiver Committee

8:30 AM ET – Conference Room 516

EPSB Regular Meeting Agenda

9:00 AM ET – State Board Room

Call to Order

Roll Call

Open Speak

Approval of Consent Items

- A. Approval of February 11, 2019 EPSB Meeting Minutes
- B. Waiver of Student Teacher Placement for Shuyan Wu (Ms. Cathy Jackson)

Report of the Commissioner

- A. Report from the Education and Workforce Development Cabinet
- B. Report from the Council on Postsecondary Education
- C. Report of the Associate Commissioner
- D. Legislative Update
- E. Other Updates

Report of the Chair

Information/Discussion Items

- A. Council for the Accreditation of Educator Preparation Standards for Advanced Programs (Ms. Allison Bell)
- B. EPSB Regulation Review, Part II (Ms. Cassie Trueblood)

Action Items

- A. EPSB Regulation Review, Part I (Ms. Trueblood)
- B. 16 KAR 3:090. Agency Amendment (Ms. Trueblood, Dr. Eve Proffitt)
- C. 16 KAR 8:030. Continuing Education Option, Amendment (Mr. Rob Akers)
- D. Thomas More University: Approval of Proficiency Plan (Ms. Bell)
- E. Union College: Approval of Proficiency Plan (Ms. Bell)
- F. University of Louisville: Approval of Proficiency Plan (Ms. Bell)

Waivers

- A. 16 KAR 5:040. Request to Waive Required Number of Student Teaching Days Due to School Closings: Morehead State University and Union College (Ms. Jackson)
- B. 16 KAR 5:040. Request to Waive Required Number of Student Teaching Days for Andrew Stewart (Ms. Jackson)
- C. 16 KAR 5:020. Request to Waive the Admission Testing Requirement for an Initial Preparation Program under 16 KAR 5:030 for Proficiency Evaluation (Ms. Margaret Hockensmith)
- D. 16 KAR 3:050. Request to Waive Teaching Experience Requirement for Admission to a Principal Certification Program (Ms. Crystal Hord)
- E. 16 KAR 4:030. Request to Waive Equivalent Certification Requirement for Out-of-State Prepared Educator (Ms. Hord)
- F. 16 KAR 3:040. Request to Waive Requirement for a Director Of Special Education to Hold Certification as a Special Education Teacher or School Psychologist (Ms. Hord)
- G. 16 KAR 2:010. Request to Waive Grade Level Restrictions for Four Owensboro Public Schools Teachers (Ms. Hord)

Board Comments

Closed Session Review

Following a motion in open session pursuant to KRS 61.810 (1) (c) and (1)(j), it is anticipated that the Board will move into closed session to conduct a character and fitness review and to review potential actions relating to complaints and reports.

Case Decisions

Following the closed session review, the Board shall move into open session. All decisions will be made in open session.

Adjournment

Next Regular Meeting:

June 17, 2019
300 Sower Blvd
Frankfort, KY 40601

The actions delineated below were taken in open session of the EPSB at the February 11, 2019, 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 9:00 a.m. ET. She read the mission statement to the Board and audience.

Roll Call

The following Board members were present during the February 11, 2019, EPSB meeting:

Melissa Bell, Sarah Burnett, Kim Chevalier, David Graham, Donna Hedgepath, Justin Mitchell, Daniel Morgan, Ellen Murphy, Mike Nemes, Sherry Powers, Elizabeth Smith, Jamie Stickler, Steven Thomas, and Rachel Watson.

Shad Sletto was absent.

Approval of Commissioner's Designee

2019-001

Motion made by Mr. David Graham, seconded by Mr. Steven Thomas, to approve Dr. Amanda Ellis, Deputy Commissioner and Chief Academic Officer of KDE as Dr. Lewis' designee.

Vote: *Unanimous*

Open Speak

There were no requests for Open Speak.

Approval of Consent Items

Approval of December 10, 2018, EPSB Meeting Minutes

Waiver of Student Teacher Placement for Briscoe Horrell

Request to Offer Programs at an Off-Site Location, Campbellsville University

University of Louisville Program Approval: Health P-12 and Physical Education P-12, Initial Undergraduate

Emergency Noncertified Personnel, Nicholas County

2019-002

Motion made by Dr. Sherry Powers, seconded by Ms. Rachel Watson, to approve the consent agenda items.

Vote: *Unanimous (Dr. Donna Hedgepath recused on Consent Item C)*

Report of the Commissioner

Report from the Education and Workforce Development Cabinet

Mike Nemes provided updates on a variety of programs within the Cabinet that focus on getting people back to work.

Report from the Council on Postsecondary Education

Melissa Bell spoke about CPE's new President, Dr. Aaron Thompson, and his listening tour around the state. Ms. Bell also discussed CPE's goal of strengthening partnerships, and the new partnership with QA Commons for the KY Essential Employability Qualities Initiative.

Report of the Associate Commissioner

Rob Akers spoke about the successful move to KDE and complimented KDE staff for their patience and assistance. Mr. Akers explained the work and programs that merged from the EPSB and the former Office of Teaching and Learning into the new Office of Educator Licensure & Effectiveness. He also provided updates on regulation reviews, and the new electronic upload process for certification applications.

Title II Report (Written Only)

Legislative Update

Dr. Amanda Ellis provided updates on several House and Senate bills. Dr. Ellis noted that KDE was watching HB 8, HB 272, SB 8 and SB 116 closely. Dr. Ellis also discussed the school safety bills.

Other Updates

Dr. Ellis updated the Board on the KBE meeting. Dr. Ellis also stated that Dr. Aaron Thompson and Dr. Lewis had presented to the House Education Committee the previous week.

Report of the Chair

Chair Burnett recognized former Board Member Dusty Phelps for his service to the EPSB.

Chair Burnett appointed Danielle Bradley, representing the general public, Kristi Jenkins, representing classroom teachers, and Dara'Su Stevens-Williams, representing school administrators to the Accreditation Audit Committee.

Information/Discussion Items

Guidelines for Option Seven

Ms. Robin Hebert, Dr. Amy Lingo, and Ms. Margaret Hockensmith outlined the process for submitting an application for the Option Seven Route to Certification. Ms. Hebert explained that the goal is for candidates to receive a Professional Certificate by the end of their 3rd year, and candidates will be required to pass the content assessment before being issued a certificate.

16 KAR 8:030. Continuing Education Option, Amendment

Mr. Akers discussed the amendments to the Continuing Education Option. Mr. Akers explained that CEO is a second pathway for rank change that can be offered by EPPs, districts or co-ops, and is based on a combination of field-based experience, individual research and approved professional development.

EPSB Regulation Review, Part I

Ms. Cassie Trueblood explained HB 50's sunset provision to the Board, and their options when reviewing their regulations. Ms. Trueblood then presented proposed options on 33 of the Board's regulations that are set to expire on July 1, 2019.

Action Items

16 KAR 3:011. Notice of Repeal of 16 KAR 3:010-3:050

Ms. Trueblood explained the purpose of the repeal is to move the administrative certification regulations into one, 16 KAR 3:090.

2019-003

Motion made by Ms. Kim Chevalier, seconded by Mr. Mike Nemes, to approve.

Vote: *Unanimous*

Lindsey Wilson: Accreditation of the Educator Preparation Provider and Approval of Programs

Ms. Allison Bell presented items for the Board's consideration on Accreditation of EPP's and approval of programs.

2019-004

Accreditation Motion made by Dr. Powers, seconded by Mr. Justin Mitchell, to approve.

Vote: *Unanimous*

2019-005

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

Vote: *Unanimous*

Northern Kentucky University: Accreditation of the Educator Preparation Provider and Approval of Programs

Ms. Bell presented items for the Board's consideration on Accreditation of EPP's and approval of programs.

2019-006

Accreditation Motion made by Dr. Powers, seconded by Ms. Ellen Murphy, to approve.

Vote: *Unanimous*

2019-007

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

Vote: *Unanimous*

Western Kentucky University: Accreditation of the Educator Preparation Provider and Approval of Programs

Ms. Bell presented items for the Board's consideration on Accreditation of EPP's and approval of programs.

2019-008

Accreditation Motion made by Dr. Powers, seconded by Ms. Chevalier, to approve.

Vote: *Unanimous*

2019-009

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

Vote: *Unanimous*

2019-010

Advanced Programs Motion made by Mr. Nemes, seconded by Dr. Powers, to approve with conditions.

Vote: *Unanimous*

Waivers

16 KAR 8:010. Request to Allow a Master of Education in Curriculum and Instruction from Grand Canyon University to Count for a Rank Change

2019-011

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

Vote: *Unanimous*

Alternative Route to Certification Applications

Jonathan Mangin, Biology and Chemistry, Grades 8-12

2019-012

Motion made by Mr. Thomas, seconded by Ms. Murphy, to approve.

Vote: *Unanimous*

Board Comments

Dr. Hedgepath addressed EPPs in appreciation for the quality of their work around accreditation.

**DISCIPLINARY MATTERS:
MINUTES OF CASE REVIEW
February 11, 2019**

Motion made by Ms. Chevalier seconded by Mr. Thomas, 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). The Board also reviewed pending litigation.

Vote: *Unanimous*

Motion made by Mr. Thomas seconded by Mr. Daniel Morgan, to return to open session.

Vote: *Unanimous*

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

Sarah Burnett, Kim Chevalier, David Graham, Donna Hedgepath, Justin Mitchell, Daniel Morgan, Ellen Murphy, Sherry Powers, Elizabeth Smith, Jamie Stickler, Steven Thomas, and Rachel Watson.

Attorneys present were Deanna Durrett, Luke Gilbert, BreAnna Listermann, Joseph Martz, Cassie Trueblood, and Chelsea Young.

INITIAL CASE REVIEW

Case Number
18081103

Decision
Admonish

18111363	Admonish & Training
18111371	Attorney Review
18111333	Attorney Review
18101297	Dismissed
18081091	Dismissed
18101265	Admonish & Training
18101271	Attorney Review
18111373	Attorney Review
18081095	Attorney Review
18111379	Attorney Review
18111369	Admonish & Training
1806901	Attorney Review
18101275	Attorney Review
18111377	Attorney Review
18111361	Admonish
18101295	Dismissed
18111381	Admonish
18111359	Attorney Review
18111355	Attorney Review
18111357	Attorney Review
18111365	Attorney Review
18101281	Attorney Review
18101293	Dismissed
18101267	Defer for Training
1806875	Admonish & Training
18111321	Admonish & Training
18111335	Admonish
18101273	Admonish
1806897	Admonish & Training
18111329	Attorney Review
18101283	Admonish & Training
18111339	Dismissed
18081175	Attorney Review
18081183	Defer for Training
18081141	Dismissed
18081129	Admonish
18111375	Admonish
18111323	Admonish & Training
18071039	Admonish & Training
18071003	Admonish & Training
18101279	Attorney Review
18101277	Attorney Review
18101287	Attorney Review
18111331	Admonish & Training
18111319	Dismissed
18111347	Dismissed

18111343	Defer for Training
18111345	Defer for Training
18111341	Defer for Training
CF181961	Refer to Hearing
CF181844	Refer to Hearing
1111865	Refer to Hearing
140265	Refer to Hearing
1208532	No Further Action
1803269	Admonish & Training
1803323	Admonish & Training
1803207	Attorney Review
1803335	Attorney Review
1803219	Attorney Review
17061001	Attorney Review
17071273	Attorney Review
18081121	Dismissed
17121669	Dismissed
1804613	Dismissed
18071007	Dismissed
18081107	Dismissed
18081111	Dismissed
1803327	Dismissed
1803289	Dismissed
1804553	Dismissed
1804541	Dismissed
1804543	Dismissed
1804577	Dismissed
1804573	Dismissed
1806943	Dismissed
18071019	Dismissed
18081135	Dismissed
18081165	Dismissed
18081181	Dismissed
18081193	Dismissed
18081191	Dismissed
18081177	Dismissed
18081185	Dismissed

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
182428	Approve
182443	Approve
182464	Approve
182466	Approve
182462	Approve
1910	Approve

1920	Approve
1923	Approve
1921	Approve
182470	Approve
1961	Approve
1996	Approve
19105	Approve
19103	Deny
1977	Approve
182411	Approve
182433	Approve
182439	Approve
182449	Approve
182450	Approve
182451	Deny
182460	Approve
182471	Approve
194	Approve
199	Approve
1911	Approve
1913	Approve
1914	Approve
1918	Approve
1927	Approve
1932	Deny
1931	Deny
1936	Approve
182425	Approve
182007	Approve
1944	Approve
1959	Approve
1967	Approve
1968	Deny
1922	Approve
1975	Approve
1937	Approve
1985	Deny
19100	Approve
1973	Deny
1943	Defer
19113	Approve

Agreed Orders

Case Number

1806883 Jennifer Jordan

Decision

Accept Agreed Order stating Certificate Number 201124504

shall be retroactively suspended from June 1, 2018 through July 15, 2018.

In addition, Certificate Number 201124504 shall be subject to the following probationary conditions for a period of two (2) years:

1. By July 1, 2019, Jordan shall provide written proof that she has completed a comprehensive alcohol/substance abuse assessment by a licensed chemical dependency counselor, as approved by the Board, and shall present written evidence that she has complied with the assessment process and has successfully completed all treatment recommendations. If Jordan is unable to complete treatment recommendations by July 1, 2019, she shall submit quarterly written progress reports from her counselor, to begin three months after the initial assessment, until she has been released from treatment or the probationary period ends, whichever occurs first. If Jordan fails to satisfy this condition, Certificate Number 201124504 shall be administratively suspended until such condition is satisfied.
2. By October 1, 2019, Jordan shall provide written proof that she has completed educator ethics training, as approved by the Board. Jordan shall pay any expense incurred. If Jordan fails to satisfy this condition, Certificate Number 201124504 shall be administratively suspended until such condition is satisfied.
3. Jordan 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 alcohol or illegal substances or that is in excess of therapeutic levels generally accepted in the medical community. If Jordan fails to satisfy this condition, Certificate Number 201124504 shall be administratively suspended pending Board review and disposition.
4. Jordan shall receive no disciplinary action involving the use of alcohol or any illegal substance by any school district in which she is employed. If Jordan

fails to satisfy this condition, Certificate Number 201124504 shall be administratively suspended pending Board review and disposition.

“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 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 termination, suspension or public reprimand shall be considered a violation of this condition.

Jordan 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*

1507499 Michael Calvert

Accept Agreed Order stating:

1. By July 1, 2019, Calvert shall provide written proof to the Board that he has completed at least twelve (12) hours of training in the areas of classroom management, behavior management and/or de-escalation strategies, as approved by the Board. Calvert shall pay any expense incurred. If Calvert fails to satisfy this condition by July 1, 2019, Certificate Number 200304838 shall be administratively suspended until such condition is satisfied.

Calvert 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*

17121529 Susan Meyer

Accept Agreed Order stating that Meyer is not currently employed in the education field, and has no immediate plans to return to the education profession. However, prior to accepting a certified position in Kentucky, Meyer shall first provide written proof to the Board that she has completed Administration Code training. If Meyer fails to satisfy this

condition prior to accepting certified employment, Certificate Number 201129094 shall be administratively suspended until such condition is satisfied. Meyer 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*

18081173 Debra Ellis

Accept Agreed Order stating Ellis shall not participate in state testing until she provides written proof to the Board that she has completed Administration Code training. If Ellis fails to satisfy this condition, Certificate Number 200100380 shall be administratively suspended until she provides the appropriate written proof to the Board. Ellis 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*

18081109 Vicki Gough

Accept Agreed Order stating Gough is currently retired with no immediate plans to return to the education profession. However, if Gough returns to the Kentucky public school system in any capacity that requires certification, she shall first comply with the following conditions:

1. Gough shall provide written proof to the Board that she has completed one (1) hour of training from a Kentucky Department of Education (KDE) approved trainer on the topic of "The School Council's Role in Curriculum." Gough shall pay any expense incurred. If Gough fails to satisfy this condition prior to accepting a certified position, Certificate Number 000016099 shall be administratively suspended until such condition is satisfied.
2. Gough shall provide written proof to the Board that she has completed one (1) hour of training from a KDE approved trainer on the topic of "The School Council's Role in Allocations and Determination of School Staff." Gough shall pay any expense incurred. If Gough fails to satisfy this condition prior to accepting a certified position, Certificate Number

000016099 shall be administratively suspended until such condition is satisfied.

Gough 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*

18081117 Keith Winfree

Accept Agreed Order admonishing Winfree for exercising poor professional judgment. The Board reminds Winfree 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 Winfree.

Certificate Number 201190344 has expired and Winfree is not currently teaching. Prior to renewing any certification, Winfree shall provide written proof to the Board that he has successfully completed a course on educator ethics and a course on classroom management, as approved by the Board. Any expense incurred for said training shall be paid by Winfree.

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

Vote: *Unanimous*

18071041 Alvena Smith

Accept Agreed Order stating Certificate Number 201177195 has expired. Prior to renewing any certification, Smith shall provide written proof to the Board that she has successfully completed a course on classroom management/de-escalation techniques, as approved by the Board. Smith shall pay any expense incurred for said training. Failure to meet the above condition will result in Smith being denied issuance of a Kentucky teaching certificate.

Smith 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*

1803367 Donald Mathis

Accept Agreed Order stating Mathis is not currently

employed in the education field in Kentucky. Prior to accepting a position that requires Kentucky teacher certification, Mathis shall provide written proof that he has taken a course of training/professional development on the subject of the duty to report as defined in KRS 620.030. Any expense for said training shall be paid for by Mathis. If Mathis fails to provide said proof before accepting a position requiring Kentucky teacher certification, Certificate Number 200164808 shall be administratively suspended until such time as Mathis provides the proof.

Mathis 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*

17071247 Adam Decker

Accept Agreed Order stating Decker voluntarily, knowingly, and intelligently surrenders Certificate Number 201128971, and agrees not to apply for, nor be issued a teaching, administrative, or emergency certificate in the Commonwealth of Kentucky at any time in the future. Upon acceptance of this agreement by the Board, Decker 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.

Vote: *Unanimous (Mr. Mitchell recused)*

18081179 Andrea O'Donoghue

Accept Agreed Order suspending Certificate Number 199603065 from August 25, 2018 through August 26, 2018.

1. By August 1, 2019, O'Donoghue shall provide written proof to the Board that she has completed Administration Code Training. If O'Donoghue fails to satisfy this condition by August 1, 2019, Certificate Number 199603065 shall be administratively suspended until such condition is satisfied.
2. By December 1, 2019, O'Donoghue shall provide written proof to the Board that she has completed educator ethics training, as approved by the Board. O'Donoghue shall pay any expense incurred. If O'Donoghue fails to satisfy this condition by

December 1, 2019, Certificate Number 199603065 shall be administratively suspended until such condition is satisfied.

In addition, Certificate Number 199603065 shall be subject to the following condition for a period of two (2) years:

1. O'Donoghue shall not be reported to the Board for a finding that she violated the Administration Code for Kentucky's Educational Assessment Program. If O'Donoghue is reported to the Board for a testing violation during the probationary period, Certificate Number 199603065 shall be administratively suspended pending Board review and disposition.

O'Donoghue 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*

180197 Belinda Martin

Accept Agreed Order suspending Martin's *Professional Certificate For Instructional Leadership – Principal, All Grades, Level 2* from July 1, 2018 through July 30, 2018.

Martin is currently retired with no immediate plans to return to the education profession. However, prior to accepting any position that requires the use of her Professional Certificate For Instructional Leadership – Principal, All Grades, Level 2; Professional Certificate For Instructional Leadership – School Superintendent she shall submit written proof to the Board that she has completed at least six (6) hours of training related to Fiscal Management for School Administrators, as approved by the Board. Martin shall pay any expense incurred. If Martin fails to satisfy this condition, Certificate Number 000028920 shall be administratively suspended until such condition is satisfied.

Martin 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*

1404226 Linda Gillis

Accept Agreed Order admonishing Gillis for failing to take

reasonable measures to protect the health, safety, and emotional well-being of students. The emotional and psychological safety of students should always be the priority of any educator. The Board will not tolerate any further incidents of misconduct by Gillis.

1. Gillis has provided written proof to the Board that she has completed training entitled, "Love and Logic, Leader in Me."
2. By December 1, 2019, Gillis shall provide written proof to the Board that she has successfully completed Classroom Management training, as approved by the Board. Gillis shall pay any expense incurred. If Gillis fails to satisfy this condition by December 1, 2019, Certificate Number 200141305 shall be administratively suspended until such condition is satisfied.

Gillis is aware that should she violate any provision of KRS 161.120 at any time in the future, the Board shall initiate disciplinary action and seek additional sanctions.

Vote: *Unanimous*

17121633 Cory Cooper

Accept Agreed Order revoking Certificate Number 201163971 for a period of two (2) years, retroactively from October 19, 2017 through October 19, 2019. Cooper 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.

Cooper has proved proof to the Board he completed a 28-week inpatient treatment program at the Healing Place in Louisville, KY.

In addition to any educational and assessment requirements necessary for certification at the time, Cooper shall comply with the following conditions prior to reissuance of Certificate Number 201163971.

1. Cooper shall provide proof he has complied with further treatment programs at the Healing Place or a similar recovery center. Cooper shall pay any expense incurred. If Cooper fails to satisfy this

condition, Certificate Number 201163971 shall not be reissued until such condition is satisfied.

2. Cooper shall provide verification of his sobriety, such as proof of continued attendance of AA/NA meetings. If Cooper fails to satisfy this condition, Certificate Number 201163971 shall not be reissued until such condition is satisfied.
3. Cooper shall provide written proof to the Board that he has been assessed by a state certified mental health counselor, as approved by the Board, and is competent to fulfill his duties as an educator. Cooper shall provide proof that he has complied with any treatment recommendations proposed by the mental health counselor and shall continue to provide written progress reports to the Board until he has been released from treatment by the counselor. Cooper shall pay any expense incurred. If Cooper fails to satisfy this condition, Certificate Number 201163971 shall not be reissued until such condition is satisfied.

Upon reissuance, Certificate Number 201163971 and any new endorsements or new areas of certification shall be subject to the following probationary condition for a period of five (5) years:

During the probationary period, Cooper shall not fail or refuse any drug screening or 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 Cooper fails to satisfy this condition, Certificate Number 201163971 shall be automatically suspended pending review and disposition by the Board.

Vote: *Unanimous*

1208532 Gina Clear

Accept Agreed Order admonishing Clear for the mismanagement of the yearbook's funds and accounts. The Board will not tolerate any further incidents of misconduct by Clear.

Certificate Number 200002014 has expired and Clear is not currently teaching. Prior to renewing any certification, Clear shall provide written proof to the Board that she has completed professional development or training on the “Accounting Procedures for Kentucky School Activity Funds” commonly known as Redbook, as approved by the Board. Clear shall pay any expense incurred. Failure to comply will be reason to deny any application for certification.

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

Vote: *Unanimous*

1804693 Heather Graham

Accept Agreed Order stating Case No. 1804693 shall be dismissed conditional upon Graham providing proof that she has completed a course on classroom management. Graham shall pay for any expense incurred.

Graham 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*

17061148 Ken Stites

Accept Agreed Order stating Stites is admonished for exercising poor professional judgment. The Board will not tolerate any further incidents of misconduct from Stites.

On or before June 1, 2020, Stites shall provide written proof to the Board that he has completed a course on educator ethics training as approved by the Board. Stites shall pay any expense incurred. If Stites fails to satisfy this condition, Certificate Number 200103117 shall be administratively suspended until such condition is satisfied.

Stites 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 (Mr. Morgan recused)*

1806887 Bettina Wright

Accept Agreed Order admonishing Wright for exercising

poor professional judgment. The Board reminds Wright of her ethical duty to take reasonable measures to protect the health, safety and emotional well-being of her students. The Board will not tolerate any further incidents of misconduct from Wright.

On or before June 1, 2019, Wright shall provide written proof to the Board that she has completed online courses entitled Safe Schools Disruptive Student Behavior and De-Escalation Strategies. If Wright fails to satisfy this condition, Certificate Number 200002763 shall be administratively suspended until such condition is satisfied.

Certificate Number 200002763, including any and all endorsements, is hereby subject to the following probationary condition for a period of five (5) years:

During the probationary period, Wright shall not receive any disciplinary action from any school district she 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 Wright fails to satisfy this condition, Certificate Number 200002763, shall be automatically suspended pending review and disposition by the Board.

Wright is aware that should she violate KRS 161.120, either during or following this five-year probation, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

18071035 Meg Thomas

Accept Agreed Order stating Thomas has submitted proof to the Board that she has successfully completed a course on Recognizing and Reporting Child Abuse and Neglect. Upon acceptance of this agreement by the Board, Case No. 18071035 shall be dismissed without prejudice.

Vote: *Unanimous*

1805819 Cassandra Coulter

Accept Agreed Order stating Coulter has resigned and has no plans to return to the classroom. Coulter shall neither apply for nor accept a position that requires certification in the Commonwealth of Kentucky at any time in the future.

Should Coulter fail to satisfy this condition, Certificate Number 201152215 shall be automatically permanently revoked.

Coulter 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*

18081105 Tim Rowbotham

Accept Agreed Order stating Rowbotham has resigned and has no plans to return to the classroom. Rowbotham shall neither apply for nor accept a position that requires certification in the Commonwealth of Kentucky at any time in the future. Should Rowbotham fail to satisfy this condition, Certificate Number 200211208 shall be automatically permanently revoked.

Rowbotham 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*

180179 Joshua Gruneisen

Accept Agreed Order stating Gruneisen voluntarily, knowingly, and intelligently surrenders his teaching certificate, number 200153139, 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, Gruneisen 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*

1511805 Debra Brown

Accept Agreed Order admonishing Brown for a lack of oversight in creating a program to aid students. While the Board recognizes that Brown designed the blended curriculum program to facilitate students' timely graduation, it urges her to be more diligent in the facilitation of learning initiatives in the future.

Case No. 1511805 is dismissed, conditioned on the following:

On or before March 1, 2020, Brown shall provide written proof to the Board that she has taken a course of professional development/training on the topic of Kentucky state school law. Any cost for said training shall be paid for by Brown. If Brown fails to provide the written proof by March 1, 2020, Certificate Number 000029455 shall be administratively suspended until such time as Brown provides said proof.

Brown 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*

Recommended Order

Case Name

1109761 David Jones

Decision

Accept the hearing officer's Findings of Fact. Modify the hearing officer's Conclusions of Law in paragraph 35 to strike the sentence "However, the Board did not present any evidence that Mr. Jones had been previously informed that the tape recording of his students was a violation of school policy" and in paragraph 37, to strike the mention of *Hurley-Richards*. Accept the hearing officer's Recommended Order that the Board FIND that Mr. Jones violated KRS 161.120(1)(c) as alleged in Count 1, when he made inappropriate, vulgar and unprofessional comments to the Board in his Response which was received by the Board on or about October 28, 2011. The foregoing also constitutes a violation of KRS 161.120(1)(m) and 16 KAR 1:020 1(3)(c)1, as alleged in Count 8. That the Board DISMISS the remaining allegations set out in Counts 1, 2, and 8 which also alleged Mr. Jones of making inappropriate comments to female colleagues and students. That the Board DISMISS the charges set out in Counts 3, 4, 5, 6 and 7. That the Board issue a PUBLIC REPRIMAND and thus sanction Mr. Jones for the vulgar, inappropriate, and unprofessional language he used in his Response Letter. That before resuming a teaching position, Mr. Jones be REQUIRED to complete a course of training/professional development on the subject of Professionalism.

Vote: *Unanimous*

1005329 Mark Hulsewede

Accept the hearing officer's Findings of Fact, and Conclusions of Law, and modify the Recommended Order

to replace the reference to Certificate Number XXX-XX-4602 with Certificate Number 78642. Certificate Number 78642 is revoked. Respondent, Mark Hulsewede, shall immediately surrender the original and all copies of his certificates by personal delivery or first class mail, to the EPSB, 300 Sower Blvd., 5th Floor, Frankfort, Kentucky 40601. Respondent, Mark Hulsewede, shall neither apply for nor be issued a teaching, administrative, or emergency certificate in the Commonwealth of Kentucky at any time in the future. Any future application submitted by the Respondent, Mark Hulsewede, or on his behalf, shall be denied.

Vote: *Unanimous (Mr. Morgan recused)*

Motion made by Mr. Graham seconded by Mr. Morgan to adjourn the meeting.

Vote: *Unanimous*

Meeting adjourned at 12:18 p.m.

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

Waiver of Student Teacher Placement for Shuyan Wu

Commissioner's Recommendation:

The Education Professional Standards Board (EPSB) should approve the alternative waiver request.

Rationale:

There are very few, if any, certified foreign language teachers in elementary schools. Therefore, Western Kentucky University was unable to find an elementary school placement for Ms. Wu's student teaching. However, efforts have been made to assure that the candidate will receive and deliver elementary instruction and exposure.

Action Question:

Should the EPSB approve the waiver of the student teacher placement for Shuyan Wu, and allow her to complete a 70-day placement in a high school setting?

Applicable Regulation:

KRS 161.028, KRS 161.030, 16 KAR 5:040

History/Background:

Existing Policy: Candidates pursuing a primary through grade 12 certificate shall have their student teaching balanced between an elementary school placement and/or middle or high school placement. Institutions unable to locate a placement aligned with grade level requirements shall submit an alternative placement request to EPSB staff. EPSB staff may pre-approve the alternative placement request. If approved, the request will be placed on the consent agenda for Board action.

Summary: Western Kentucky University has requested that their teacher candidate, Shuyan Wu, complete her 70 day student teaching in the high school setting. She will provide instruction and receive exposure to foreign language in an elementary setting during student teaching experience. The candidate taught in an elementary setting prior to student teaching. Her resume is attached as supporting documentation.

Budget Impact: There is no budgetary impact.

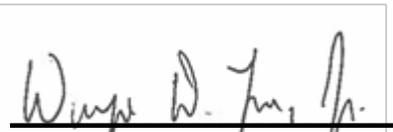
Groups Consulted and Brief Summary of Responses:

Three staff members from the Division of Educator Preparation, Assessment and Internship (Cathy Jackson, Sharon Salsman, and Brandon Harrod) met to review the Alternative Placement Request for Shuyan Wu from Western Kentucky University and other supporting documents.

Because of the efforts of Western Kentucky University to assure that their candidate will receive exposure to elementary instruction during the high school placement, the group supports the Alternative Waiver Request for their student.

Contact Person:

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Commissioner of Education

Date:

April 8, 2019

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Review Item:

Adoption of the Council for the Accreditation of Educator Preparation (CAEP) Standards for Advanced Programs

Rationale:

In 2015, the Education Professional Standards Board (EPSB) adopted the CAEP standards for initial preparation providers. The CAEP Board of Directors adopted the Standards for Advanced Programs in July 2016. The advanced-level standards will be implemented by the Educator Preparation Providers (EPPs) that are scheduled for site visits in fall 2019.

Applicable Statutes and Regulation:

KRS 161.028, 16 KAR 5:010

History/Background:

Existing Policy: KRS 161.028 authorizes the EPSB to set standards for, approve, and evaluate college, university, and school district programs for the preparation of teachers and other professional school professionals. 16 KAR 5:010 establishes the standards for accreditation of an educator preparation provider.

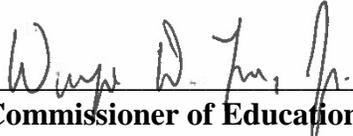
Summary: The current regulation identifies the accreditation requirements for state accreditation. It also includes an option for EPPs to seek National Council for Accreditation of Teacher Education (NCATE) accreditation in addition to the required state accreditation. In 2009, the NCATE and Teacher Education Accreditation Council Board of Directors appointed a Design Team to make recommendations on the formation of a new accrediting body: CAEP. In 2013, the CAEP Board of Directors approved new accreditation standards specific to initial teacher preparation programs. The EPSB adopted the new CAEP standards for initial level preparation programs at the June 8, 2015 meeting. At that time, CAEP did not have the standards for advanced level programs established or adopted. As a result, EPPs' advanced programs have not been included in the CAEP/EPSB accreditation process until such time as CAEP could adopt advanced level standards.

In 2016, the CAEP Board of Directors adopted advanced standards with implementation of the standards to begin with accreditation visits scheduled for fall 2019. A copy of the advanced standards is included for Board review. All EPPs seeking CAEP and EPSB accreditation in fall 2019, and moving forward will be required to demonstrate evidence of the CAEP advanced level standards.

Budget Impact: There is no budgetary impact.

Contact Person:

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Wayne D. Jones
Commissioner of Education

Date:

April 8, 2019

2016 CAEP Standards for Advanced Programs

Standard A. 1. Content and Pedagogical Knowledge

The provider ensures that candidates for professional specialties develop a deep understanding of the critical concepts and principles of their field of preparation and, by completion, are able to use professional specialty practices flexibly to advance the learning of all P-12 students toward attainment of college- and career-readiness standards.

Candidate Knowledge, Skills, and Professional Dispositions

A.1.1 Candidates for advanced preparation demonstrate their proficiencies to understand and apply knowledge and skills appropriate to their professional field of specialization so that learning and development opportunities for all P-12 are enhanced, through:

- *Applications of data literacy;*
- *Use of research and understanding of qualitative, quantitative and/or mixed methods research methodologies;*
- *Employment of data analysis and evidence to develop supportive school environments;*
- *Leading and/or participating in collaborative activities with others such as peers, colleagues, teachers, administrators, community organizations, and parents;*
- *Supporting appropriate applications of technology for their field of specialization; and*
- *Application of professional dispositions, laws and policies, codes of ethics and professional standards appropriate to their field of specialization.*

Evidence of candidate content knowledge appropriate for the professional specialty will be documented by state licensure test scores or other proficiency measures.

Provider Responsibilities:

A.1.2 Providers ensure that advanced program completers have opportunities to learn and apply specialized content and discipline knowledge contained in approved state and/or national discipline-specific standards. These specialized standards include, but are not limited to, Specialized Professional Association (SPA) standards, individual state standards, standards of the National Board for Professional Teaching Standards, and standards of other accrediting bodies [e.g., Council for Accreditation of Counseling and Related Educational Programs (CACREP)].

Standard A. 2. Clinical Partnerships and Practice

The provider ensures that effective partnerships and high-quality clinical practice are central to preparation so that candidates develop the knowledge, skills, and professional dispositions appropriate for their professional specialty field.

Partnerships for Clinical Preparation:

A.2.1 Partners co-construct mutually beneficial P-12 school and community arrangements, including technology-based collaborations, for clinical preparation and share responsibility for continuous improvement of advanced program candidate preparation. Partnerships for clinical preparation can follow a range of forms, participants, and functions. They establish mutually agreeable expectations for advanced program candidate entry, preparation, and exit; ensure that theory and practice are linked; maintain coherence across clinical and academic components of preparation; and share accountability for advanced program candidate outcomes.

Clinical Experiences:

A.2.2. The provider works with partners to design varied and developmental clinical settings that allow opportunities for candidates to practice applications of content knowledge and skills that the courses and other experiences of the advanced preparation emphasize. The opportunities lead to appropriate culminating experiences in which candidates demonstrate their proficiencies, through problem-based tasks or research (e.g., qualitative, quantitative, mixed methods, action) that are characteristic of their professional specialization as detailed in component 1.1.

Standard A. 3. Candidate Quality and Selectivity

The provider demonstrates that the quality of advanced program candidates is a continuing and purposeful part of its responsibility so that completers are prepared to perform effectively and can be recommended for certification where applicable.

Admission of Diverse Candidates Who Meet Employment Needs:

A. 3.1 The provider sets goals and monitors progress for admission and support of high-quality advanced program candidates from a broad range of backgrounds and diverse populations to accomplish their mission. The admitted pool of candidates reflects the diversity of America's teacher pool and, over time, should reflect the diversity of P-12 students. The provider demonstrates efforts to know and address community, state, national, regional, or local needs for school and district staff prepared in advanced fields.

Candidates Demonstrate Academic Achievement and Ability to Complete Preparation Successfully

A. 3.2 The provider sets admissions requirements for academic achievement, including CAEP minimum criteria, the state's minimum criteria, or graduate school minimum criteria, whichever is highest, and gathers data to monitor candidates from admission to completion. The provider determines additional criteria intended to ensure that candidates have, or develop, abilities to complete the program successfully and arranges appropriate support and counseling for candidates whose progress falls behind.

The CAEP minimum criteria are a college grade point average of 3.0 or a group average performance on nationally normed assessments, or substantially equivalent state-normed or EPP administered assessments, of mathematical, reading, and writing achievement in the top 50 percent of those assessed.

An EPP may develop and use a valid and reliable substantially equivalent alternative assessment of academic achievement. The 50th percentile standard for writing will be implemented in 2021. The CAEP minimum criteria apply to the group average of enrolled candidates whose preparation begins during an academic year.

As an alternative to cohort average performance on a nationally- or state-normed writing assessment, the EPP may present evidence of candidates' performance levels on writing tasks similar to those required of practicing educators. EPPs must continuously monitor disaggregated evidence of academic quality for each branch campus (if any), mode of delivery, and individual preparation programs, identifying differences, trends, and patterns that should be addressed.

Selectivity During Preparation:

A.3.3 The provider creates criteria for program progression and uses disaggregated data to monitor candidates' advancement from admissions through completion.

Selection at Completion:

A.3.4 Before the provider recommends any advanced program candidate for completion, it documents that the candidate has reached a high standard for content knowledge in the field of specialization, data literacy and research-driven decision making, effective use of collaborative skills, applications of technology, and applications of dispositions, laws, codes of ethics and professional standards appropriate for the field of specialization.

Standard A. 4. Program Impact

The provider documents the satisfaction of its completers from advanced preparation programs and their employers with the relevance and effectiveness of their preparation.

Satisfaction of Employers:

A.4.1 The provider demonstrates that employers are satisfied with completers' preparation and that completers reach employment milestones such as promotion and retention.

Satisfaction of Completers:

A.4.2 The provider demonstrates that advanced program completers perceive their preparation as relevant to the responsibilities they confront on the job, and that the preparation was effective.

Standard A. 5. Provider Quality Assurance and Continuous Improvement

The provider maintains a quality assurance system comprised of valid data from multiple measures, including evidence of candidates' and completers' positive impact on P-12 student learning and development. The provider supports continuous improvement that is sustained and evidence-based, and that evaluates the effectiveness of its completers. The provider uses the results of inquiry and data collection to establish priorities, enhance program elements and capacity, and test innovations to improve completers' impact on P-12 student learning and development.

Quality and Strategic Evaluation:

5.1 The provider's quality assurance system is comprised of multiple measures that can monitor candidate progress, completer achievements, and provider operational effectiveness. Evidence demonstrates that the provider satisfies all CAEP standards.

5.2 The provider's quality assurance system relies on relevant, verifiable, representative, cumulative and actionable measures, and produces empirical evidence that interpretations of data are valid and consistent.

Continuous Improvement:

5.3 The provider regularly and systematically assesses performance against its goals and relevant standards, tracks results over time, tests innovations and the effects of selection criteria on subsequent progress and completion, and uses results to improve program elements and processes.

5.4 Measures of completer impact, including available outcome data on P-12 student growth, are summarized, externally benchmarked, analyzed, shared widely, and acted upon in decision-making related to programs, resource allocation, and future direction.

5.5 The provider assures that appropriate stakeholders, including alumni, employers, practitioners, school and community partners, and others defined by the provider, are involved in program evaluation, improvement, and identification of models of excellence.

CAEP is accrediting an EPP, and an EPP should only be required to respond to Standard 5 once—not separately for initial and for advanced preparation. That is:

- When its documentation would include measures used in advanced preparation along with other multiple measures used in initial preparation.
- When it documents the quality of its data (for component 5.2), it would include measures used in advanced preparation.
- When it documents continuous improvement efforts (for component 5.3), its self-study report would include measures and their use in continuous improvement from advanced preparation programs.
- When the EPP documents stakeholder involvement (for component 5.5), information on advanced preparation is included along with that on initial preparation.

If an EPP conducts advanced preparation programs only, then it would document 5.1, 5.2, 5.3, 5.4, and 5.5 for those programs alone.

This document was amended by the CAEP Board of Directors in December 2018.

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Review Item:

Education Professional Standards Board (EPSB) Regulation Review, Part II

Rationale:

To provide a list of recommended actions to meet the requirements of KRS 13A.3102, staff reviewed current EPSB regulations to determine alignment with statutory and program requirements to determine whether regulations should remain in effect, with or without amendment, or be repealed.

Applicable Statute or Regulation:

KRS 13A.010, KRS 13A.040, KRS 13A.310, KRS 13A.3102, and KRS 13A.3104.

History/Background:

Existing Policy: During the 2017 Regular Session of the Kentucky General Assembly, the legislature passed House Bill 50. The new law established a sunset provision for executive branch agency regulations. Staff must review all existing regulations and recommend to the EPSB to keep in effect, with or without amendment, or repeal.

Summary: Any administrative regulation with a last effective date before July 1, 2012, will expire on July 1, 2019. Any administrative regulation with a last effective date on or after July 1, 2012, will expire seven (7) years after its last effective date.

KRS 13A.3104 establishes a certification letter process for any agency that does not want its administrative regulations to expire. If the EPSB does not want a regulation to expire, staff must file a certification letter with the regulations compiler stating whether the administrative regulation must be amended or remain in effect without amendment before the expiration date.

If the certification letter states that the administrative regulation will be amended, EPSB must file an amendment to the administrative regulation within eighteen (18) months of the date the certification letter was filed.

The EPSB currently has sixty seven (67) regulations, and thirty three (33) of those regulations are set to expire on July 1, 2019. Staff is bringing the proposed actions for these regulations before the Board in two parts.

Budget Impact: There will be a cost associated with staff reviewing regulations. There may be additional impacts, dependent on any significant revisions to existing regulations.

Groups Consulted and Brief Summary of Responses:

Division Directors and Program Staff

Each of the expiring regulations were reviewed and action was recommended. A list of the recommendations is included for the EPSB to review.

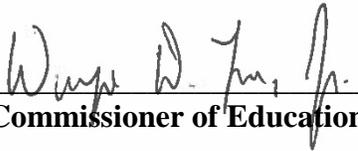
Contact Person:

Cassie Trueblood, Policy Advisor and Special Counsel

Office of Educator Licensure and Effectiveness

(502) 564-4606

Email: cassie.trueblood@education.ky.gov



Wayne D. Jones
Commissioner of Education

Date:

April 8, 2019

Title	CH	Reg #	Title/Description of Regulation	Last Effective Date	7 Year Expiration Date	Division	Recommend (Certify / Amend / Repeal)
16	1	050	Local educator assignment data	5/4/1995	7/1/2019	Certification	Certify
16	2	030	Substitute teachers and emergency school personnel	6/14/2002	7/1/2019	Certification	Certify
16	2	040	Interdisciplinary early childhood education, birth to primary	11/14/2011	7/1/2019	Certification	Amend
16	2	050	Certificates for teachers of exceptional children/communication disorders	12/21/2000	7/1/2019	Certification	Amend
16	2	060	School nurse	8/7/2006	7/1/2019	Certification	Repeal
16	2	070	Professional certificate for school social worker	3/19/2003	7/1/2019	Certification	Certify
16	2	080	Provisional and probationary certificates for school social worker	3/19/2003	7/1/2019	Certification	Certify
16	2	090	School psychologist	8/5/2005	7/1/2019	Certification	Certify
16	2	130	Recruitment plan for position of school media librarian	1/5/2007	7/1/2019	Certification	Certify
16	2	180	One (1) year conditional certificate	12/18/2002	7/1/2019	Certification	Amend

Title	CH	Reg #	Title/Description of Regulation	Last Effective Date	7 Year Expiration Date	Division	Recommend (Certify / Amend / Repeal)
16	2	190	Probationary certificate for information technology teachers	8/13/2003	7/1/2019	Certification	Repeal
16	3	070	Endorsement for individual intellectual assessment	3/10/1988	7/1/2019	Certification	Amend
16	4	010	Qualifications for professional school positions	2/1/2008	7/1/2019	Certification	Certify
16	4	020	Certification requirements for teachers of exceptional children	8/6/2004	7/1/2019	Certification	Amend
16	4	050	Dating of certification	9/7/1995	7/1/2019	Certification	Amend
16	4	070	Foreign teachers serving under the teacher exchange program	8/3/1977	7/1/2019	Certification	Certify
16	9	010	Professional certificate for exceptional work experience, limited to secondary education	1/19/1999	7/1/2019	Certification	Amend
16	9	020	Provisional certificate for college faculty	2/11/2002	7/1/2019	Certification	Amend

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

Education Professional Standards Board (EPSB) Regulation Review, Part I

Commissioner's Recommendation:

The EPSB should approve the proposed regulatory actions.

Rationale:

The list of recommended actions meet the requirements of KRS 13A.3102. Staff reviewed current EPSB regulations to determine alignment with statutory and program requirements and whether regulations should remain in effect, with or without amendment, or be repealed.

Action Question:

Should the EPSB approve the proposed regulatory actions?

Applicable Statute or Regulation:

KRS 13A.010, KRS 13A.040, KRS 13A.310, KRS 13A.3102, and KRS 13A.3104.

History/Background:

Existing Policy: During the 2017 Regular Session of the Kentucky General Assembly, the legislature passed House Bill 50. The new law established a sunset provision for executive branch agency regulations. Staff must review all existing regulations and recommend to the EPSB to keep in effect, with or without amendment, or repeal.

Summary: Any administrative regulation with a last effective date before July 1, 2012, will expire on July 1, 2019. Any administrative regulation with a last effective date on or after July 1, 2012, will expire seven (7) years after its last effective date.

KRS 13A.3104 establishes a certification letter process for any agency that does not want its administrative regulations to expire. If the EPSB does not want a regulation to expire, staff must file a certification letter with the regulations compiler stating whether the administrative regulation must be amended or remain in effect without amendment before the expiration date.

If the certification letter states that the administrative regulation will be amended, EPSB must file an amendment to the administrative regulation within eighteen (18) months of the date the certification letter was filed.

The EPSB currently has sixty-seven (67) regulations, and thirty-three (33) of those regulations are set to expire on July 1, 2019. Staff is bringing the proposed actions for these regulations before the Board in two parts.

Budget Impact: There will be a cost associated with staff reviewing regulations. There may be additional impacts, dependent on any significant revisions to existing regulations.

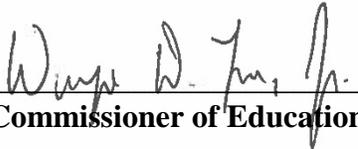
Groups Consulted and Brief Summary of Responses:

Division Directors and Program Staff

Each of the expiring regulations were reviewed and action was recommended. Part I of the recommendations is included for the EPSB to review.

Contact Person:

Cassie Trueblood, Policy Advisor and Special Counsel
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Email: cassie.trueblood@education.ky.gov



Wayne D. Thomas
Commissioner of Education

Date:

April 8, 2019

Title	CH	Reg #	Title/Description of Regulation	Last Effective Date	7 Year Expiration Date	Division	Recommend (Certify / Amend / Repeal)
16	1	020	Professional code of ethics for Kentucky school certified personnel	5/4/1995	7/1/2019	Legal	Certify
16	1	040	Teachers' National Certification Incentive Trust Fund	10/31/2003	7/1/2019	DEPAI	Certify
16	3	020	Certification for supervisor of instruction	1/23/2004	7/1/2019	DEPAI	Repeal
16	3	050	Professional certificate for instructional leadership - school principal, all grades	3/4/2011	7/1/2019	DEPAI	Repeal
16	3	060	Guidance counselor, provisional and standard certificates, all grades	8/5/2005	7/1/2019	DEPAI	Amend
16	5	010	Standards for accreditation of educator preparation units and approval of programs	5/6/2011	7/1/2019	DEPAI	Amend
16	5	050	Master of Arts in teaching	5/16/2002	7/1/2019	DEPAI	Repeal
16	6	030	Examination prerequisites for principal certification	11/19/2012	11/19/2019	DEPAI	Repeal
16	7	020	Kentucky Principal Internship Program	1/5/2007	7/1/2019	DEPAI	Certify
16	8	010	Rank I classification	5/16/2002	7/1/2019	DEPAI	Certify

Title	CH	Reg #	Title/Description of Regulation	Last Effective Date	7 Year Expiration Date	Division	Recommend (Certify / Amend / Repeal)
16	8	020	Planned Fifth-Year Program	10/11/1999	7/1/2019	DEPAI	Certify
16	9	050	Alternative training program eligibility requirements for middle school and secondary school teachers	1/18/2000	7/1/2019	DEPAI	Amend
16	9	060	The alternative training program for preparation of candidates for initial teacher certification	9/6/1991	7/1/2019	DEPAI	Amend
16	9	070	Kentucky Primary Alternative Certification Program	1/18/2000	7/1/2019	DEPAI	Amend
16	9	090	University-based alternative certification program for teachers of world languages	11/14/2011	7/1/2019	DEPAI	Amend

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

16 KAR 3:090: Certifications for Advanced Educational Leadership, Agency Amendment

Commissioner's Recommendation:

The Education Professional Standards Board (EPSB) should approve the agency amendment to 16 KAR 3:090.

Rationale:

The amendment will incorporate relevant portions of 16 KAR 6:030, to allow the Board to repeal that regulation. The amendment will also provide timelines for the implementation of the School Leadership Licensure Assessment (SLLA).

Action Question:

Should the EPSB approve the agency amendment to 16 KAR 3:090?

Applicable Statute or Regulation:

KRS 161.020, 161.027, 161.028, 161.030, 16 KAR 3:090, 16 KAR 6:030

History/Background:

Existing Policy: At the December 10, 2018 meeting, the EPSB approved the new regulation 16 KAR 3:090. This regulation incorporates the recommendations of the University Principal Preparation Initiative (UPPI) stakeholder group, and streamlines the requirements of 16 KAR 3:010-3:050 into one regulation for Advanced Educational Leadership. 16 KAR 6:030 establishes the examination prerequisites for principal certification.

Summary: The inclusion of the School Leadership Licensure Assessment (SLLA) in Section 3 of 16 KAR 3:090 alleviates the need for 16 KAR 6:030. Therefore, staff is proposing an agency amendment that will incorporate portions of 16 KAR 6:030 into 16 KAR 3:090, and allow for the repeal of 16 KAR 6:030. Additionally, the UPPI stakeholder group recommends amending Section 3 to provide timelines for the implementation of the new SLLA. The timelines would allow for candidates currently enrolled in an administrative preparation program to have the option of meeting the current testing requirements, but by December 1, 2020, all Advanced Educational Leadership candidates shall comply with the new assessment requirements of 16 KAR 3:090. The amended Section 3 is included for EPSB review, and the entire amended regulation will be uploaded to the Document Library.

Budget Impact: There is no budgetary impact.

Groups Consulted and Brief Summary of Responses:

UPPI Stakeholder Group

The UPPI stakeholder group brought together all related organizations for principal development, preparation, and professional training to review the regulation on principal preparation, as well as other educational leadership regulations. The group was supportive of the amendment to include portions of 16 KAR 6:030.

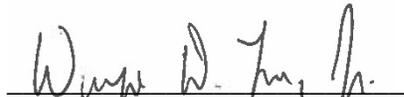
Contact Person:

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Wayne D. Ivey, Jr.
Commissioner of Education

Date:

April 8, 2019

1 Section 3. Assessment Prerequisites for Advanced Educational Leaders. **(1) Until December**
2 **1, 2020, an applicant for advanced educational leadership-school principal, or a career and**
3 **technical school principal, shall complete the following tests and attain the minimum score**
4 **specified for each test:**

5 **(a) School Leaders Licensure Assessment (6011) - 160; and**

6 **(b) The Kentucky Specialty Test of Instructional and Administrative Practices (1015) -**
7 **158.**

8 **(2) After December 1, 2020, all applicants** [An applicant] for certification for advanced
9 educational leadership, or a career and technical school principal, shall attain the specified
10 minimum score on the School Leaders [Leadership] Licensure Assessment **(6990)**. **An applicant**
11 **for advanced educational leadership-school principal, or a career and technical school**
12 **principal, shall also be required to take the Kentucky Specialty Test of Instructional and**
13 **Administrative Practices (1015) and attain the minimum score of 158.**

14 **(3)[(2)]** The Education Professional Standards Board shall determine the specified minimum
15 score for the School Leaders [Leadership] Licensure Assessment **(6990)**.

16 **(4)[(3)]** The Education Professional Standards Board shall specify the passing score for
17 Advanced Educational Leaders on the School Leaders [Leadership] Licensure Assessment
18 **(6990)**. The order shall be posted to the website for the Education Professional Standards Board.

19 **(5) Until December 1, 2020, an applicant for advanced educational leadership-school**
20 **principal, or a career and technical school principal, may substitute a passing score on the**
21 **School Leaders Licensure Assessment (6990) for the requirement of paragraph (1)(a) of this**
22 **section.**

23 **(6)[(4)]** An applicant for certification for advanced educational leadership, or a career and

1 technical school principal, shall only be required to pass the School Leaders [~~Leadership~~]
2 Licensure Assessment once. The applicant shall not be required to pass the assessment if they
3 pursue additional certification for advanced educational leadership or career and technical school
4 principal.

5 **(7) The successful completion of the School Leaders Licensure Assessment shall not be**
6 **required for an applicant who has:**

7 **(a) Two (2) years of experience as a certified advanced educational leader in another state;**
8 **and**

9 **(b) Successfully completed a nationally administered test in the area of educational**
10 **leadership and administration.**

11 **(8) An applicant shall take the required assessments on a date established by the**
12 **Educational Testing Service. An applicant shall authorize that test results be forwarded to**
13 **the Education Professional Standards Board by the Educational Testing Service.**

14 **(9) An applicant shall seek information regarding the dates and location of the test and**
15 **make application for the appropriate examination prior to the deadline established and**
16 **sufficiently in advance of anticipated employment to permit test results to be received by the**
17 **Education Professional Standards Board and processed in the normal certification cycle.**

18 **(10) An applicant shall pay all fees assessed by the Educational Testing Service.**

19 **(11) An applicant who fails to achieve a minimum score on a required test as specified in**
20 **this section shall be permitted to retake the test during a regularly scheduled test**
21 **administration.**

22 **(12) A temporary certificate issued in accordance with KRS 161.027(6)(a) shall not be**
23 **extended for an applicant who does not successfully complete the assessments within the**

1 year.

2 (13) For an applicant applying for a certificate under KRS 161.027(6)(b), the school
3 superintendent of the employing district shall submit a request that shall include an
4 affirmation that the applicant pool consisted of three (3) or less applicants who met the
5 requirements for selecting a principal.

6 (14) The temporary certificate issued in accordance with KRS 161.027(6)(b) shall not be
7 extended beyond the one (1) year period.

8 (15) On an annual or biennial basis, the Education Professional Standards Board shall
9 collect and analyze data provided by the Educational Testing Service through score and
10 institution reports which permit evaluation of the examination prerequisites covered by this
11 administrative regulation.

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

16 KAR 8:030. Continuing Education Option for Rank Change, Amendment

Commissioner's Recommendation:

The Education Professional Standards Board (EPSB) should approve the agency amendment to 16 KAR 8:030.

Rationale:

These amendments will align the current regulation with the statutory amendments to KRS 161.095, and will also establish the pathway for additional rank change programs that are based on a combination of field-based experiences, individual research, and approved professional development.

Action Question:

Should the EPSB approve the agency amendment to 16 KAR 8:030?

Applicable Statute or Regulation:

KRS 161.020, 161.028, 161.030, 161.095, 161.1211 and 16 KAR 8:030

History/Background:

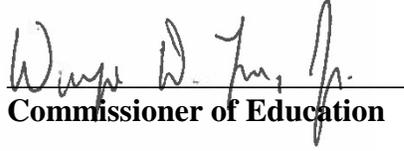
Existing Policy: KRS 161.1211 establishes the classifications of teachers. According to the statute an educator can obtain Rank II by obtaining a master's degree or continuing education. Rank I is obtained by meeting the requirements of Rank II and having an additional 30 hours of college credit or continuing education. KRS 161.095 provides that the EPSB shall develop standards for continuing education including university courses, an advanced degree or a combination of field-based experiences, individual research, and approved professional development. 16 KAR 8:030 sets forth the current continuing education option for rank change.

Summary: The proposed amendments to 16 KAR 8:030 would update the current continuing education option in light of recent statutory updates that no longer require continuing education to include university courses. The amendments also create a second continuing education option pathway that would allow districts, cooperatives and institutions to submit a continuing education option plan to the EPSB for approval. These plans would allow educators to grow in their profession and pursue rank change through field-based experiences, research and approved professional development. These plans would have to be approved by the EPSB before they could be offered for rank change. A copy of the amended regulation will be included with Addendum materials.

Budget Impact: There will be a cost as staff will be required to develop guidelines and prepare plan submissions for EPSB review.

Contact Person:

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Commissioner of Education

Date:

April 8, 2019

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

Thomas More University: Approval of Proficiency Plan for Art P-12, Biological Science 8-12, Business and Marketing 5-12, Chemistry 8-12, Elementary P-5, English 8-12, Learning and Behavior Disorders P-12, Mathematics 8-12, Middle School English 5-9, Middle School Math 5-9, Middle School Science 5-9, Middle School Social Studies 5-9, Physics 8-12, Social Studies 8-12, Spanish P-12, Speech Communications 8-12, and Theater P-12 (Certification Only)

Commissioner's Recommendation:

The Education Professional Standards Board (EPSB) should approve Thomas More University's submitted proficiency plan.

Rationale:

The proposed educator preparation programs follow the regulatory requirements for program approval as established by the EPSB.

Action Question:

Should the EPSB approve the educator preparation proficiency plan submitted by Thomas More University?

Applicable Statutes and Regulation:

KRS 161.028, KRS 161.030, 16 KAR 2:010; 16 KAR 5:030

History/Background:

Existing Policy: KRS 161.028 and KRS 161.030 require that educators and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation. The traditional means of recognizing competency and proficiency for educator preparation is by earning academic credits. 16 KAR 5:030 provides an alternate means for recognizing competency and proficiency other than academic credit. This regulation outlines the criteria for an educator preparation provider (EPP) to submit a plan for EPSB approval that sets forth the process by which the EPP will conduct proficiency evaluations. The regulation became effective in August 2018. The Guidelines for Approval of Proficiency Evaluation Plans were presented to the EPSB during the December 2018 meeting. The Division of Educator Preparation, Assessment and Internship created an application form with instructions for the submission of the proficiency plans. Associate Commissioner Akers sent the guidelines and application to all EPP leaders on January 30, 2019.

Summary: Thomas More University is requesting approval for its proficiency evaluation plans for the following programs: Art P-12, Biological Science 8-12, Business and Marketing 5-12, Chemistry 8-12, Elementary P-5, English 8-12, Learning and Behavior Disorders P-12, Mathematics 8-12, Middle School English 5-9, Middle School Math 5-9, Middle School Science 5-9, Middle School Social Studies 5-9, Physics 8-12, Social Studies 8-12, Spanish P-12, Speech Communications 8-12, and Theater P-12 (Certification Only).

The submitted proficiency plan adequately addresses the components of the application, which includes:

1. Identification of the programs for which it intends to have proficiency as a pathway to certification.
2. Description of the process to evaluate a candidate's proficiency, who is involved in the process, and the process used to measure the applicable performance-based standards.
3. Description of how candidates will demonstrate meeting the admission criteria of 16 KAR 5:020 as applicable.
4. Identification of the requirements candidates must demonstrate before being exited from the program. A description of how the exit requirements will be demonstrated is included as well as the process by which the EPP will report candidates in the EPSB Admission/Exit System.
5. Inclusion of a Sample Employment Eligibility letter.

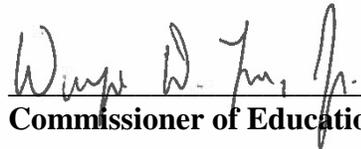
Budget Impact: There is no budgetary impact.

Groups Consulted and Brief Summary of Responses:

OELE staff have reviewed the submitted documentation and found it meets the requirements for approval.

Contact Person:

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Commissioner of Education

Date:

April 8, 2019

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

Union College: Approval of Proficiency Plan for English as a Second Language Endorsement P-12, Gifted Education Endorsement P-12, Health P-12, and Physical Education P-12 (Certification Only)

Commissioner's Recommendation:

The Education Professional Standards Board (EPSB) should approve Union College's submitted proficiency plan.

Rationale:

The proposed educator preparation programs follow the regulatory requirements for program approval as established by the EPSB.

Action Question:

Should the EPSB approve the educator preparation proficiency plan submitted by Union College?

Applicable Statutes and Regulation:

KRS 161.028, KRS 161.030, 16 KAR 2:010; 16 KAR 5:030

History/Background:

Existing Policy: KRS 161.028 and KRS 161.030 require that educators and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation. The traditional means of recognizing competency and proficiency for educator preparation is by earning academic credits. 16 KAR 5:030 provides an alternate means for recognizing competency and proficiency other than academic credit. This regulation outlines the criteria for an educator preparation provider (EPP) to submit a plan for EPSB approval that sets forth the process by which the EPP will conduct proficiency evaluations. The regulation became effective in August 2018. The Guidelines for Approval of Proficiency Evaluation Plans were presented to the EPSB during the December 2018 meeting. The Division of Educator Preparation, Assessment and Internship created an application form with instructions for the submittal of the proficiency plans. Associate Commissioner Akers sent the guidelines and application to all EPP leaders on January 30, 2019.

Summary: Union College is requesting approval for its proficiency evaluation plans for the following programs: English as a Second Language Endorsement P-12, Gifted Education Endorsement P-12, Health P-12, and Physical Education P-12 (Certification Only).

The submitted proficiency plan adequately addresses the components of the application, which includes:

1. Identification of the programs for which it intends to have proficiency as a pathway to certification.

2. Description of the process to evaluate a candidate's proficiency, who is involved in the process, and the process used to measure the applicable performance-based standards.
3. Description of how candidates will demonstrate meeting the admission criteria of 16 KAR 5:020 as applicable.
4. Identification of the requirements candidates must demonstrate before being exited from the program. A description of how the exit requirements will be demonstrated is included as well as the process by which the EPP will report candidates in the EPSB Admission/Exit System.
5. Inclusion of a Sample Employment Eligibility letter.

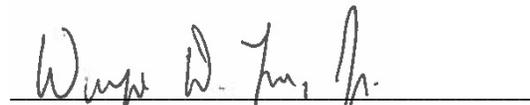
Budget Impact: There is no budgetary impact.

Groups Consulted and Brief Summary of Responses:

OELE staff have reviewed the submitted documentation and found it meets the requirements for approval.

Contact Person:

Allison Bell, Program Consultant
Division of Educator Preparation, Assessment, and Internship
Office of Educator Licensure and Effectiveness
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Commissioner of Education

Date:

April 8, 2019

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

University of Louisville: Approval for Proficiency Plan for Art P-12, Biological Science 8-12, Business and Marketing 5-12, Chemistry 8-12, Earth Science 8-12, Elementary Math Specialist Endorsement P-5, English 8-12, English as a Second Language Endorsement P-12, French P-12, Gifted Education Endorsement P-12, Instructional Computer Technology Endorsement P-12, Mathematics 8-12, Middle School English 5-9, Middle School Math 5-9, Middle School Science 5-9, Middle School Social Studies 5-9, Physics 8-12, Reading Endorsement P-12, Social Studies 8-12, and Spanish P-12 (Certification Only)

Commissioner's Recommendation:

The Education Professional Standards Board (EPSB) should approve University of Louisville's submitted proficiency plan.

Rationale:

The proposed educator preparation programs follow the regulatory requirements for program approval as established by the EPSB.

Action Question:

Should the EPSB approve the educator preparation proficiency plan submitted by the University of Louisville?

Applicable Statutes and Regulation:

KRS 161.028, KRS 161.030, 16 KAR 2:010; 16 KAR 5:030

History/Background:

Existing Policy: KRS 161.028 and KRS 161.030 require that educators and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation. The traditional means of recognizing competency and proficiency for educator preparation is by earning academic credits. 16 KAR 5:030 provides an alternate means for recognizing competency and proficiency other than academic credit. This regulation outlines the criteria for an educator preparation provider (EPP) to submit a plan for EPSB approval that sets forth the process by which the EPP will conduct proficiency evaluations. The regulation became effective in August 2018. The Guidelines for Approval of Proficiency Evaluation Plans were presented to the EPSB during the December 2018 meeting. The Division of Educator Preparation, Assessment and Internship created an application form with instructions for the submittal of the proficiency plans. Associate Commissioner Akers sent the guidelines and application to all the EPP leaders on January 30, 2019.

Summary: University of Louisville is requesting approval for its proficiency evaluation plans for the following programs: Art P-12, Biological Science 8-12, Business and Marketing 5-12, Chemistry 8-12, Earth Science 8-12, Elementary Math Specialist Endorsement P-5, English 8-12, English as a Second Language Endorsement P-12, French P-12, Gifted Education Endorsement P-

12, Instructional Computer Technology Endorsement P-12, Mathematics 8-12, Middle School English 5-9, Middle School Math 5-9, Middle School Science 5-9, Middle School Social Studies 5-9, Physics 8-12, Reading Endorsement P-12, Social Studies 8-12, and Spanish P-12 (Certification Only).

The submitted proficiency plan adequately addresses the components of the application, which includes:

1. Identification of the programs for which it intends to have proficiency as a pathway to certification.
2. Description of the process to evaluate a candidate's proficiency, who is involved in the process, and the process used to measure the applicable performance-based standards.
3. Description of how candidates will demonstrate meeting the admission criteria of 16 KAR 5:020 as applicable.
4. Identification of the requirements candidates must demonstrate before being exited from the program. A description of how the exit requirements will be demonstrated is included as well as the process by which the EPP will report candidates in the EPSB Admission/Exit System.
5. Inclusion of a Sample Employment Eligibility letter.

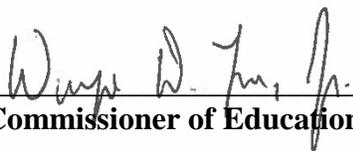
Budget Impact: There is no budgetary impact.

Groups Consulted and Brief Summary of Responses:

OELE staff have reviewed the submitted documentation and found it meets the requirements for approval.

Contact Person:

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Commissioner of Education

Date:

April 8, 2019

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

16 KAR 5:040. Request to Waive Student Teacher Days Due to District Closures

Action Question:

Should the Education Professional Standards Board (EPSB) approve the waiver of student teaching days due to district closings?

Applicable Statute or Regulation:

KRS 161.028, 16 KAR 5:040

History/Background:

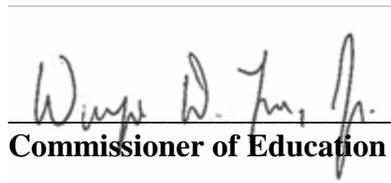
Existing Policy: Each educator preparation provider (EPP) shall provide a full professional semester to include a period of student teaching for a minimum of seventy (70) full days, or its equivalent, in instructional settings that correspond to the grade levels and content areas of the student teacher's certification program.

Summary: District closures have made it impossible for some student teachers to complete seventy (70) full days of student teaching before the close of the Spring 2019 higher education academic semester. District closures are out of the control of the student teachers and EPP; however, they have made good faith efforts to complete as many days as possible during the semester. Morehead State University, Murray State University, Transylvania University and the University of Louisville have requested waivers for their students. Each EPP has provided a list of the number of days needed per student for this waiver.

Budget Impact: There is no budgetary impact.

Contact Person:

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Wayne D. Zimmerman
Commissioner of Education

Date:

April 8, 2019

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

16 KAR 5:040. Request to Waive Required Number of Student Teaching Days for Andrew Stewart

Action Question:

Should the Education Professional Standards Board approve the request to waive five (5) student teaching days?

Applicable Statute or Regulation:

KRS 161.028, KRS 161.030, 16 KAR 5:040

History/Background:

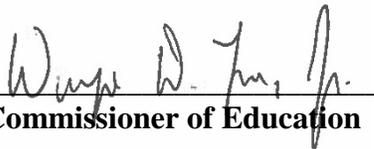
Existing Policy: Each educator preparation provider (EPP) shall provide a full professional semester to include a period of student teaching for a minimum of seventy (70) full days, or its equivalent, in instructional settings that correspond to the grade levels and content areas of the student teacher's certification program.

Summary: The University of Kentucky has requested that the seventy (70) day requirement be waived by five (5) days for their teacher candidate, Andrew Stewart, for medical reasons. Mr. Stewart was injured and required surgery and a recovery period. During this time, every effort was made by the institution and district to complete Mr. Stewart's student teaching placement. The cooperating teacher, Steve Greene, provided a detailed description of these efforts. The request and supporting documentation are provided under separate cover.

Budget Impact: There is no budgetary impact.

Contact Person:

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Commissioner of Education

Date:

April 8, 2019

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

16 KAR 5:020. Request to Waive the Admission Testing Requirement for an Initial Preparation Program under 16 KAR 5:030 for Proficiency Evaluation

Action Question:

Should the Education Professional Standards Board (EPSB) approve the applicant's request to waive the admission testing requirement to an initial preparation program as it pertains to the application of 16 KAR 5:030 for Proficiency Evaluation?

Applicable Statute or Regulation:

KRS 161.020, 161.028, 161.030, 16 KAR 5:020, 16 KAR 5:030

History/Background:

Existing Policy: In accordance with the revised Proficiency Review regulation 16 KAR 5:030 that became effective August 31, 2018, proficiency evaluations by approved Educator Preparation Providers (EPPs) allow for a current certified teacher to have their credentials and experiences reviewed for certification in an additional area, as well as for someone to gain initial certification. If the applicant for a proficiency evaluation already holds certification, he/she does not have to take the assessments required in 16 KAR 5:020 for admission to an educator preparation program. If the applicant for a proficiency evaluation does not already hold certification, he/she is required to take the required assessment for admission to an educator preparation program. Prior to the effective date of this revised regulation, candidates were required to meet the admission criteria that were applicable to the program for which proficiency evaluation was being sought. Thus, if a candidate was seeking a proficiency evaluation based upon an initial teacher certification program, the candidate would be required to meet all the admission requirements identified in 16 KAR 5:020.

Summary: Ms. Melissa Calderon Lopez was issued a Kentucky certificate in Elementary Education (Rank III) effective July 1, 2018, based on her teaching certificate from Costa Rica. On July 14, 2018, she was admitted by Northern Kentucky University (NKU) to an initial certification program for a proficiency review of her competencies for teaching Spanish P-12. NKU did not require her to take the CASE assessment for admission to the initial preparation program. Subsequently, after review of her credentials and based on her passing the Praxis II for teaching Spanish P-12, NKU attempted to recommend her for certification in March 2019. The admission date for Ms. Lopez occurred under the previous version of the regulation.

EPPs were involved in the review of the proposed new proficiency regulation for several months prior to its effective date and were aware of the new requirements. NKU admitted Ms. Lopez under the requirements of the new regulation which, did not become effective until six weeks later.

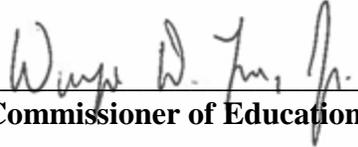
Ms. Lopez is bilingual, having been a native Spanish speaker. She has background teaching Spanish. She initially taught elementary students in Spanish at institutions outside of the U.S.

Her full credentials are listed on the attached waiver application submitted by NKU.

Budget Impact: There is no budgetary impact.

Contact Person:

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Commissioner of Education

Date:

April 8, 2019

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

16 KAR 3:050. Request to Waive Teaching Experience Requirement for Admission to a Principal Certification Program for Shonda Burrus.

Action Question:

Should the Education Professional Standards Board (EPSB) approve the request to waive the teaching experience admission requirement for the applicant based on her certified school counselor experience in California?

Applicable Statute or Regulation:

KRS 161.028, 16 KAR 3:050

History/Background:

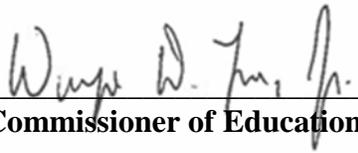
Existing Policy: 16 KAR 3:050 requires candidates for principal preparation programs to have three years of documented teaching experience in an accredited public school or nonpublic school for admission into the program.

Summary: Dr. David Whaley, Dean of the College of Education at Murray State University, has submitted this waiver request on behalf of Shonda Burrus. Ms. Burrus currently resides in California, but is seeking to return to Kentucky. She is currently certified as a school counselor and is completing her fourth year in that role. She would like to apply to Murray State University's principal preparation program in order to be considered for principal positions, but lacks the three years of classroom teaching experience required for admission. Murray State is requesting this waiver on Ms. Burrus' behalf based on her experience as a school counselor, outstanding letters of recommendation, a 2017 designation as the Region 10 California League of Schools Educator of the Year, and past experience in education in a variety of roles.

Budget Impact: There is no budgetary impact.

Contact Person:

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Commissioner of Education

Date:

April 8, 2019

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

16 KAR 4:030. Request to Waive Equivalent Certification Requirement for Out-of-State Prepared Educator Christina King

Action Question:

Should the Education Professional Standards Board (EPSB) approve the request to waive the requirement for the applicant to possess an equivalent counselor certification in Texas?

Applicable Statute or Regulation:

KRS 161.028, 16 KAR 4:030

History/Background:

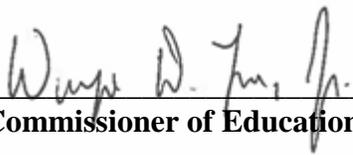
Existing Policy: 16 KAR 4:030 requires out-of-state prepared educators to possess an equivalent certification from the state where the applicant completed his or her preparation program.

Summary: Christina King enrolled in Lamar University's school counseling program in the Summer of 2017. At the time of enrollment, program completers of this program would be eligible to apply for Texas certification upon completion of the program and passage of the required state assessment. Recently, Ms. King was notified by her program advisor that beginning in Fall 2018, Texas Education Agency (TEA) no longer allowed out of state residents to take the required TEXES 152 exam unless all 400 field hours were completed at an approved TEA campus. Lamar University is accredited by NC-SARA, and because Ms. King did complete a Residency requirement during the summer of 2018, this program would be considered a hybrid online/on-campus program. Ms. King is scheduled to graduate from this program in May 2019, however, due to changes to TEA's policy, she will not be able to earn the Texas certificate upon completion.

Budget Impact: There is no budgetary impact.

Contact Person:

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Commissioner of Education

Date:

April 8, 2019

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

16 KAR 3:040. Request to Waive Requirement for a Director of Special Education to Hold Certification as a Special Education Teacher or School Psychologist

Action Question:

Should the Education Professional Standards Board (EPSB) approve the request to waive the requirement and allow the applicant's experience in the role as a school psychometrist to meet the requirement of a "qualified applicant"?

Applicable Statute or Regulation:

KRS 161.028, 16 KAR 3:040

History/Background:

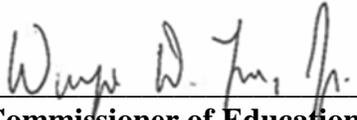
Existing Policy: 16 KAR 3:040 requires a candidate for Director of Special Education certification to have certification as a special education teacher or school psychologist, three years of teaching or school psychologist experience, and at least one year of experience in the role of special education teacher or school psychologist.

Summary: Myra Swift holds certification as an elementary teacher, director of district personnel, school guidance counselor, and the endorsement for Individual Intellectual Assessment (IIA) for grades K-12. The IIA endorsement along with the guidance counselor certification allow her to perform the same cognitive and intellectual testing that a school psychologist can perform. Ms. Swift has worked in the role of school psychometrist for Butler County Schools for 11 years. The University of the Cumberland admitted Ms. Swift to the Director of Special Education program based on this experience and she completed that certification program in December 2018. The university has recommended her for the Level I Director of Special Education certification. It was only after submitting the application for certification that Ms. Swift learned that she did not have the prerequisite requirements necessary to receive this certification.

Budget Impact: There is no budgetary impact.

Contact Person:

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Commissioner of Education

Date:
April 8, 2019

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

16 KAR 2:010. Request to Waive Grade Level Restrictions for Four (4) Owensboro Public School Teachers: Kim Howard, Charles Kelley, Lindsey Overby, and Wendi McLevaine

Action Question:

Should the Education Professional Standards Board (EPSB) approve the district's request that the grade restriction requirements of 16 KAR 2:010 be waived for the 2019-2020 school year and allow these four (4) elementary teachers to teach grades 6-8 in the new innovation school?

Applicable Statute or Regulation:

KRS 161.028, 16 KAR 2:010

History/Background:

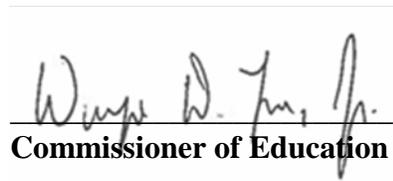
Existing Policy: 16 KAR 2:010 allows for elementary certified teachers to teach up to grade 6 only in a school setting where grade 6 is housed with grade 5. Middle school configurations require teachers to hold valid certification for teaching in the middle grades.

Summary: Dr. Nicholas Brake, Superintendent of Owensboro Public Schools, requests a one year certification waiver for four (4) teachers to be permitted to continue teaching in the new 6-8 school configuration while they pursue middle school certification through the CA-HQ route. Owensboro is a District of Innovation and has reconfigured their K-4, 5-6, and 7-8 schools. The 2019-2020 school year will be a transition year for the new 6-8 innovation school. The four (4) teachers already have experience teaching 6th grade in the 5-6 center. This waiver, if granted, will allow ample time for these teachers to complete certification requirements necessary through the CA-HQ route to add the new 5-9 certification to their existing certificates.

Budget Impact: There is no budgetary impact.

Contact Person:

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Wendi D. McLevaine
Commissioner of Education

Date:

April 8, 2019