

The actions delineated below were taken in open session of the EPSB at the December 9, 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

Vice Chair Justin Mitchell called the meeting to order at 9:01 a.m. ET. He read the mission statement to the EPSB and audience.

Roll Call

The following Board members were present during the December 9, 2019, EPSB meeting:

David Dalton, Johnathan Gay, Melinda Goble, Justin Mitchell, Daniel Morgan, Sherry Powers, Adam Smith, Elizabeth Smith, Jamie Stickler, Steven Thomas, Ashley Vice, and Rachel Watson.

CPE: Melissa Bell

Open Speak

Ms. Kara Brown spoke about IECE Certification, program admission requirements, and her teaching experience. She will submit a folder for Option 6 consideration prior to the February meeting and asks the EPSB for consideration.

Approval of Consent Items

Approval of October 28, 2019, EPSB Meeting Minutes

Approval for the Kentucky Education Association's Cultural Diversity Training

Northern Kentucky University Program

2019-086

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

Vote: *Unanimous*

Report of the Commissioner

Report from the Council on Postsecondary Education

Dr. Melissa Bell reported that the Data Dashboard has been updated to highlight the success of students by county of origin. The *Degrees When Due* national initiative is working with institutions to locate adults who previously attended college without completing their degrees to help them return and complete their degrees. On October 1st, CPE made presentations to the Interim Joint Committee on Appropriations and Revenue on the performance-funding model and to the Education Subcommittee on college affordability and financial aid.

Report of the Associate Commissioner

Mr. Rob Akers welcomed the new members. He stated that OELE staff continue to market the GoTeach KY Teacher Recruitment project and assist EPPs in establishing the Educator Rising Collegiate Chapters. Staff continues to work on streamlining regulations to assist candidates through alternative routes and increase flexibility for EPPs. OELE has received applications for Option 2 - Continued Education, and has received interest in the Option 7 Summer Institute Program. Staff is also working on regulations around accreditation and program review. Mr. Akers told the Board to expect a presentation in the future on a teacher residency program that is the result of collaboration between JCPS and the University of Louisville.

Other Updates

Commissioner Lewis thanked OELE staff and Mr. Akers for their hard work in regulations.

Information/Discussion Items

Praxis Core Academic Skills for Educators Mathematics

Representatives from Educational Testing Services (ETS) presented updates to the Praxis Core Academic Skills for Educators (CASE) exam. ETS will be discontinuing the Mathematics (5732) exam in the Fall 2020, but provided information on the new CASE Mathematics exam (5733).

Action Items

Priorities for the 2020 Regular Session of the Kentucky General Assembly

2019-087

The EPSB will be seeking to expand the applicant pool for District Training Programs, to allow National Board Certification to qualify for Rank II, and to remove the Kentucky Specialty Exam for Principal Certification.

Motion made by Mr. Jonathan Gay, seconded by Ms. Ashley Vice, to approve.

Vote: *Unanimous*

16 KAR 9:010, Exceptional Work Experience, Amendment

2019-088

The EPSB had an in-depth discussion on the proposed amendments to 16 KAR 9:010. The discussion focused on the definition of exceptional work experience and the application of the

route to population-based certificates. The Board asked staff to prepare a guidance document prior to the next meeting.

Motion made by Mr. Dalton, seconded by Dr. Powers, to table the item to make revisions and draft guidelines.

Vote: *Unanimous*

16 KAR 9:060, The District Training Program for Preparation of Candidates for Initial Teacher Certification, Amendment

2019-089

Motion made by Mr. Daniel Morgan, seconded by Mr. Gay, to approve.

Vote: *Unanimous*

16 KAR 9:071, Notice of Repeal of 16 KAR 9:050 and 9:070

2019-090

Motion made by Mr. Morgan, seconded by Mr. Adam Smith, to approve.

Vote: *Unanimous*

Request for SARA Approval for Western Governors University's Learning and Behavior Disorders P-12 Initial Certification Program

2019-091

Motion made by Ms. Vice, seconded by Mr. Smith, to approve.

Vote: *Unanimous*

SARA Approvals will be presented to the Board as Consent Items at future meetings.

Waivers

16 KAR 5:040. Request to Waive Cooperating Teacher Eligibility Requirements for Jackie Brosky

2019-092

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

Vote: *Unanimous*

16 KAR 2:120. Request to Waive Emergency Certificate Requirements for Amanda Covert

2019-093

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

Vote: *Unanimous (Ms. Vice recused)*

16 KAR 2:120. Request to Waive Emergency Certificate Requirements for Maria Miles

2019-094

Motion made by Mr. Smith, seconded by Ms. Vice, to approve the waiver.

Vote: *Unanimous*

16 KAR 2:120. Request to Waive Emergency Certificate Requirements for Valerie Skillman

2019-095

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

Vote: *Unanimous*

16 KAR 2:120. Request to Waive Emergency Certificate Requirements for Marianne Trimble

2019-096

Motion made by Ms. Rachel Watson, seconded by Ms. Melinda Goble, to approve the waiver.

Vote: *Unanimous*

16 KAR 2:120. Request to Waive Required GPA for Issuance of an Emergency Certificate for Anderson County Schools

2019-097

Motion made by Mr. Dalton, seconded by Ms. Watson, to deny the waiver.

Vote: *Unanimous*

16 KAR 2:010. Request to Waive Grade Level Restrictions for Mechelle Morgan

2019-098

Motion made by Ms. Smith, seconded by Mr. Gay, to approve the waiver.

Vote: *Unanimous*

16 KAR 3:060. Request to Allow Other Experience to Meet the Requirement of Two Years of School Counselor Experience for LaShala Goodwin

2019-099

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

Vote: *Unanimous (Mr. Morgan recused)*

Board Comments

Vice Chair Justin Mitchell recommended a “work-day” for the members to review the Options for alternative certification.

Motion made by Ms. Vice, seconded by Mr. Morgan, 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. Stickler seconded by Dr. Powers, to return to open session.

Vote: *Unanimous*

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

David Dalton, Johnathan Gay, Melinda Goble, Justin Mitchell, Daniel Morgan, Sherry Powers, Adam Smith, Elizabeth Smith, Jamie Stickler, Steven Thomas, Ashley Vice, and Rachel Watson.

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

Initial Case Review

<u>Case Number</u>	<u>Decision</u>	
1909879	Admonish	
1908813	Dismissed	
1908773	Attorney Review	
1909899	Attorney Review	
1909893	Attorney Review	<i>(Mr. Smith recused)</i>
1908769	Attorney Review	
1909895	Attorney Review	
1908817	Attorney Review	
1908749	Attorney Review	
1908753	Attorney Review	<i>(Ms. Watson recused)</i>
1908771	Attorney Review	
1908755	Attorney Review	
1906649	Attorney Review	
19011	Attorney Review	
1909891	Attorney Review	
1909901	Attorney Review	
1909905	Admonish	
1908797	Defer	
1909903	Admonish & Training	

1909859	Attorney Review
1908751	Attorney Review
1910983	Attorney Review
1908779	Attorney Review
1908781	Attorney Review
1908783	Attorney Review
1909869	Attorney Review
1908815	Attorney Review
1906667	Attorney Review
1909857	Dismissed
1906685	Dismissed
1908821	Admonish & Training
1908819	Admonish & Training
1908823	Admonish & Training
1909843	Dismissed
1909911	Attorney Review
1909913	Attorney Review
1909907	Attorney Review
1908791	Dismissed
1908789	Attorney Review
1908809	Attorney Review
1908807	Defer for Training
1908825	Admonish & Training
1908803	Attorney Review
1908785	Attorney Review
1909847	Dismissed
1908765	Attorney Review
1909883	Defer for Training
1908761	Defer for Training
1908747	Attorney Review
1411777	Refer to Hearing
17081327	Refer to Hearing
1512863	Refer to Hearing
1608507	Refer to Hearing
1702251	Refer to Hearing
170281	Refer to Hearing
17081315	Refer to Hearing
18101289	Refer to Hearing
1904411	Defer
19015	Attorney Review
19017	Dismissed
18111349	Attorney Review
190129	No Further Action
1611925	Dismissed
1906587	Dismissed
1905495	Dismissed

1904389	Dismissed
1904407	Dismissed
1902231	Dismissed
190163	Dismissed
190165	Dismissed
190161	Dismissed
1904347	Dismissed
1904349	Dismissed
1904433	Dismissed

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
191763	Approve
191784	Approve
191791	Deny
191790	Approve
181773	Deny
191805	Approve
191818	Approve
191813	Approve
191817	Approve on the condition that the allegations may be reviewed by the Board at a later date pursuant to the Board's Procedures Relating to Board Action on an Educator's Certification.
191827	Approve
191159	Defer
191839	Approve
191776	Approve on the condition that the allegations may be reviewed by the Board at a later date pursuant to the Board's Procedures Relating to Board Action on an Educator's Certification.
191742	Approve
191748	Approve
191751	Approve
191766	Approve
191769	Approve
191771	Approve
191777	Approve
191781	Approve
191785	Approve
191788	Approve
191795	Deny
1943	Approve
191814	Deny
191773	Approve
191831	Deny
191835	Approve

Agreed Orders

Case Number

1407395 Karen Schneider

Decision

Accept Agreed Order admonishing Schneider for her lack of professional judgment when she brought alcohol in a water bottle with her to work and engaged in unprofessional conduct regarding her colleagues.

Certificate Number 200406370 is hereby suspended for six (6) months.

Schneider is not currently utilizing her certification. However, prior to accepting a certified position in the Commonwealth, she must comply with the following:

1. Schneider shall provide written proof to the Board that she has successfully completed twelve (12) hours of ethics training, as approved by the Board, which shall include instruction on appropriate teacher/student boundaries. Any expense incurred for said training shall be paid for by Schneider. Failure to satisfy this condition shall result in an administrative suspension until such condition is satisfied.
2. Schneider shall submit written proof to the Board that she has successfully completed a substance abuse assessment by a Board approved provider. Any expense incurred for the assessment and follow up shall be paid for by Schneider. Failure to satisfy this condition shall result in an administrative suspension until such condition is satisfied.

Additionally, upon accepting a certified position, Schneider's certificate shall be placed on a probationary period of two (2) years with the following conditions:

1. Schneider shall submit proof of compliance with any recommendations provided by the substance abuse assessment every thirty (30) days until completion beginning 30 days after the initial assessment. Failure to satisfy this condition shall result in an administrative suspension until such condition is satisfied.
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2. Schneider shall have no further disciplinary actions.

“Disciplinary action” is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process.

Failure to abide by this condition shall result in an automatic suspension of certificate number 200406370 pending further review and disposition by the Board.

Schneider 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*

1507503 Brian Walters

Accept Agreed Order admonishing Walters for becoming involved in a domestic dispute in 2015 that resulted in a plea of guilty to a misdemeanor. The Board believes that any misdemeanor conviction reflects poorly upon a licensed educator, regardless of the circumstances.

Walters has submitted proof that he has completed twelve (12) hours of Professional Development training.

Walters shall complete a fit-for-duty assessment by a qualified mental health provider, as approved by the Board, and follow through with any recommendations given by the provider. Walters shall submit proof of the completed assessment to the Board. Additionally, Walters shall submit proof he is working toward completing any recommendations every thirty (30) days until the provider deems he has completed all recommendations. Any cost incurred shall be paid for by Walters. Failure to abide by this condition shall result in an administrative suspension until the condition is satisfied.

Additionally, any certificate issued to Walters, or on his behalf, shall be subject to the following probationary conditions for a period of two (2) years:

1. Walters shall not be convicted of, enter a plea of guilty or nolo contendere to, any crime involving domestic violence/disorderly conduct.
2. Walters shall receive no disciplinary from any school district in which he is employed. "Disciplinary action" is defined as a suspension or termination issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process.

Should Walters violate the above conditions, certificate number 199801420 shall be automatically suspended pending Board review and disposition.

Walters 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*

1405247 Bethany Taylor

Accept Agreed Order admonishing Taylor for her lack of professional judgment. The Board reminds Taylor that as an educator in the Commonwealth of Kentucky she has a duty to maintain the dignity and integrity of the profession which includes communicating with appropriate parties to ensure she is fit and effective in her profession.

Vote: *Unanimous*

18081157 Michael Dillon

Accept Agreed Order stating Dillon shall not participate in state testing until he provides written proof to the Board that he has completed Administration Code training. If Dillon fails to satisfy this condition, Certificate Number 200229294 shall be administratively suspended until he provides the appropriate written proof to the Board. Dillon 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*

1903291 Logan Gilbert

Accept Agreed Order admonishing Gilbert for his lack of professional judgment in interactions with students. Engaging in sexually inappropriate conversations with students is unacceptable, as an education professional, it is

Gilbert's responsibility to set and maintain appropriate boundaries with all students. He must be ever vigilant to treat all students with fairness and equity careful never to single out a particular student for special treatment and/or friendship. He is also reminded to be more cognizant of how his behavior could be misconstrued.

Upon acceptance of this agreement by the Board, Certificate Number 201195449 shall be suspended for a period of one (1) year. Gilbert shall not apply for nor be issued any certification during the suspension period and shall not hold a certified position.

Prior to reinstatement, Gilbert shall:

1. Provide written proof that he has completed a professional development course in the area of educator ethics, as approved by the Board. Any expense incurred for said training shall be paid by Gilbert. If Gilbert fails to satisfy this condition, Certificate Number 201195449 shall be not be reinstated until such condition is satisfied.
 2. Provide written proof that he has completed a professional development course in the area of professionalism, as approved by the Board. Any expense incurred for said training shall be paid by Gilbert. If Gilbert fails to satisfy this condition, Certificate Number 201195449 shall be not be reinstated until such condition is satisfied.
 3. Provide written proof that he has completed a professional development course in the area of appropriate student teacher boundaries, as approved by the Board. Any expense incurred for said training shall be paid by Gilbert. If Gilbert fails to satisfy these conditions, Certificate Number 201195449 shall be not be reinstated until such condition is satisfied.
 4. Provide written proof that he has completed a professional development course in the area of classroom management, as approved by the Board. Any expense incurred for said training shall be paid by Gilbert. If Gilbert fails to satisfy these conditions,
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Certificate Number 201195449 shall be not be reinstated until such condition is satisfied.

Certificate Number 201125184 shall be subject to a five (5) year probationary period:

1. Gilbert shall not receive any disciplinary action from any school district he is employed.

“Disciplinary action” is defined as any termination, suspension, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process.

If Gilbert fails to satisfy this condition, Certificate Number 201195449 shall be automatically suspended pending review and disposition by the Board.

Gilbert 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*

1904397 Allison Conley

Accept Agreed Order admonishing Conley for her lack of professional judgment during the above interaction with students. Conley is reminded that as a teacher she is held to a higher standard and must uphold the dignity and integrity of the profession. The Board will not tolerate any further infractions from Conley.

Conley shall complete a course on the Professional Code of Ethics by February 1, 2020, as approved by the Board. Any expense required for said training shall be paid by Conley. Failure to abide by this condition shall result in an administrative suspension of her certificate until proof of completion has been submitted to the Board.

Conley 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*

070461 Susan Hanks

Accept Agreed Order admonishing Hanks for exercising poor professional judgment and for failing to properly manage a student's behavior. The Board recognizes that students are going to misbehave and disrupt the classroom setting, but an educator must remain aware of the line between appropriate and inappropriate physical intervention when interacting with a student. The Board reminds Hanks that she has a duty to protect the health and safety of students and to set a positive example for her students. The Board will not tolerate any further incidents of misconduct from Hanks.

Hanks has provided proof that she completed the Kentucky Department of Education's restraint and seclusions trainings entitled Promoting Positive Behavior in Schools I, II & III.

Additionally, Hanks has since retired and is unable to complete any further training. However, should she return to the classroom, Certificate Number 200204862 shall be subject to the following probationary condition:

1. Hanks shall submit written proof to the Board that she has completed twelve (12) hours of professional development or training in the area of classroom management, as approved by the Board. Any expense required for said training shall be paid by Hanks. Should Hanks fail to satisfy this condition within six (6) months of returning to the profession Certificate Number 200204862 shall be administratively suspended until such condition is satisfied.

Hanks 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 (Mr. Morgan recused)*

1805793 Kimberly Hollingsworth

Accept Agreed Order revoking Certificate Number 200231592 for a period of ten (10) years from the date of this Order. Hollingsworth shall immediately surrender the original and all copies of her certificate, by personal delivery or first-class mail, to the Education Professional Standards Board, 300 Sower Blvd., 5th Floor, Frankfort, Kentucky 40601.

In addition to any educational and assessment requirements necessary for certification at the time, Hollingsworth shall comply with the following conditions prior to reissuance of Certificate Number 200231592:

1. Hollingsworth shall submit written proof to the Board that she has complied with a comprehensive substance abuse assessment by a Kentucky licensed or certified chemical dependency counselor, as approved by the Board, and has successfully completed all treatment recommendations proposed by the counselor. The assessment shall be completed within three months of her application for reissuance. Hollingsworth shall pay any expense incurred. Certificate Number 200231592 shall not be reissued until such condition is satisfied.
2. Hollingsworth shall provide written proof to the Board that she has been assessed by a state certified mental health counselor, as approved by the Board, and is competent to fulfill her duties as an educator. Hollingsworth shall provide proof that she has complied with any treatment recommendations proposed by the mental health counselor. Hollingsworth shall pay any expense incurred. Certificate Number 200231592 shall not be reissued until such condition is satisfied.

Upon reissuance, Certificate Number 200231592 and any new endorsements or new areas of certification shall be subject to the following probationary conditions:

1. Hollingsworth shall submit to random drug testing to be administered by a provider approved by the Board and shall receive no drug test that is positive for any illegal substance or that is in excess of therapeutic levels generally accepted in the medical community. Hollingsworth shall pay any expense incurred. If Hollingsworth fails to satisfy any portion of this condition, any and all certificates issued to her shall be administratively suspended pending Board review and disposition.
 2. Hollingsworth shall submit to the Board by July 1st of each year in which she holds an active certificate, a copy of her current criminal record, as prepared by
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the Administrative Office of the Courts. Hollingsworth shall pay any expense incurred. If Hollingsworth fails to satisfy this condition, any and all certificates issued to her shall be administratively suspended until such condition is satisfied.

3. Hollingsworth shall have no criminal convictions involving the use and/or possession of a controlled substance or endangering the welfare of a child or children. If Hollingsworth is convicted of, or enters a guilty or no contest plea, to any criminal charge involving the use and/or possession of a controlled substance, she shall submit this information to the Board, in writing, within thirty (30) days. If Hollingsworth fails to satisfy any portion of this condition, any and all certificates issued to her shall be administratively suspended pending Board review and disposition.
4. Hollingsworth shall not receive any disciplinary action involving the use and/or possession of a controlled substance or endangering the welfare of a child or children, from any school district in which she is employed. If Hollingsworth fails to satisfy this condition, any and all certificates issued to her 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.

Hollingsworth 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 (Mr. Morgan recused)*

1905507 Rebecca Ratliff

Accept Agreed Order suspending Certificate Number 000020551 for two years from the date of this Order.

Upon completion of the suspension period, but prior to Ratliff accepting a certified position, in addition to any educational requirements required at that time, reinstatement is expressly conditioned upon the following:

1. Ratliff shall provide written proof to the Board that she has completed twelve (12) hours of professional development training in the area of educator ethics. Any expense incurred for said training shall be paid for by Ratliff. If Ratliff fails to satisfy this condition, Certificate Number 000020551 shall not be reinstated until such condition is fulfilled.

Upon reinstatement, Certificate Number 000020551 shall be subject to the following permanent probationary conditions:

1. Ratliff shall not be allowed to participate in any testing mandated either by Kentucky statute or by any regulation promulgated by the KDE. If Ratliff fails to satisfy this condition, Certificate Number 000020551 shall be automatically suspended pending review and disposition by the Board.
 2. Upon employment as an educator in any Kentucky public school, Ratliff shall provide written notification to her supervisor that she is unable to participate in state mandated testing and shall file a copy of the written notice with the Board. If Ratliff fails to satisfy any part of this condition, Certificate Number 000020551 shall be automatically suspended pending review and disposition by the Board.
 3. By May 31 of each year of her employment in a Kentucky public school, Ratliff shall submit a letter from her supervisor to the Board confirming that she did not participate in any state mandated testing during the school year. If Ratliff fails to satisfy any part of this condition, any certificate issued to her shall be
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automatically suspended pending review and disposition by the Board.

Ratliff 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*

1805791 Justin Hollingsworth

Accept Agreed Order revoking Certificate Number 200304508 for a period of five (5) years from the date of this Order. Hollingsworth 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.

In addition to any educational and assessment requirements necessary for certification at the time, Hollingsworth shall comply with the following conditions prior to reissuance of Certificate Number 200304508:

1. Hollingsworth shall submit written proof to the Board that he has complied with a comprehensive substance abuse assessment by a Kentucky licensed or certified chemical dependency counselor, as approved by the Board, and has successfully completed all treatment recommendations proposed by the counselor. The assessment shall be completed within three months of his application for reissuance. Hollingsworth shall pay any expense incurred. Certificate Number 200304508 shall not be reissued until such condition is satisfied.
 2. Hollingsworth 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. Hollingsworth shall provide proof that he has complied with any treatment recommendations proposed by the mental health counselor. Hollingsworth shall pay any expense incurred. Certificate Number 200304508 shall not be reissued until such condition is satisfied.
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Upon reissuance, Certificate Number 200304508 and any new endorsements or new areas of certification shall be subject to the following probationary conditions for five (5) years:

1. Hollingsworth shall submit to the Board by July 1st of each year in which he holds an active certificate, a copy of his current criminal record, as prepared by the Administrative Office of the Courts. Hollingsworth shall pay any expense incurred. If Hollingsworth fails to satisfy this condition, any and all certificates issued to him shall be administratively suspended until such condition is satisfied.
2. Hollingsworth shall have no criminal convictions involving the use and/or possession of a controlled substance or endangering the welfare of a child or children. If Hollingsworth is convicted of, or enters a guilty or no contest plea, to any criminal charge involving the use and/or possession of a controlled substance, he shall submit this information to the Board, in writing, within thirty (30) days. If Hollingsworth fails to satisfy any portion of this condition, any and all certificates issued to him shall be administratively suspended pending Board review and disposition.
3. Hollingsworth shall not receive any disciplinary action involving the use and/or possession of a controlled substance or endangering the welfare of a child or children, from any school district in which he is employed. If Hollingsworth fails to satisfy this condition, any and all certificates issued to him 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.

Hollingsworth 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)*

1905547 Jordan Kidd

Accept Agreed Order stating Certificate number 201191455 is currently expired. If Kidd returns to a certified position, he shall not participate in state testing until he provides written proof to the Board that he has completed Administration Code training. Any expense incurred for said training shall be paid for by Kidd. If Kidd fails to satisfy this condition, Certificate Number 201191455 shall be administratively suspended until such condition is satisfied.

Kidd 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*

17121599 Claudell Robertson

Accept Agreed Order stating Robertson shall not seek or accept any position of employment in Kentucky that requires educator certification. Should Robertson violate this agreement, any Certificate Number 201114017 shall be administratively suspended pending Board review and disposition.

Robertson 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*

17121631 Michelle Williams

Accept Agreed Order admonishing Williams for unprofessional behavior while managing the classroom. A teacher in the Commonwealth of Kentucky has a duty to protect the health, welfare, and safety of her students. The Board reminds Williams that, as an educator, she must maintain the dignity and integrity of the teaching profession, and set a positive example for her students. The Board recognizes that students will misbehave and disrupt the classroom; however, certified teachers are expected to handle these situations rationally and judiciously. The Board

will not tolerate any further incidents of misconduct from Williams.

Williams is retired and has no plans to return to the classroom. If Williams should accept a position requiring Kentucky teacher certification in the future, prior to employment she shall provide written proof to the Board, from a licensed/certified physician, as approved by the Board, that she has complied with a comprehensive health evaluation and is physically and mentally fit to return to the classroom, presents as capable of performing her duties as an educator, is not a danger to herself or others, and is compliant with all treatment recommendations. Williams shall pay any expense incurred. If Williams fails to provide the proof prior to beginning a new position requiring certification, Certificate Number 38752 shall be administratively suspended until the proof is provided.

Prior to beginning a new position that requires Kentucky teacher certification, Williams shall provide written proof to the Board that she has taken a course of professional development/training on the topic of Professionalism. Any cost for said training shall be paid for by Williams. If Williams fails to provide the proof prior to beginning a new position requiring certification, Certificate 38752 shall be administratively suspended until the proof is provided.

Williams 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*

1903305 Paul Vitato

Accept Agreed Order admonishing Vitato for speaking to colleagues after being ordered by his principal to have no contact with those on school grounds. While the Board understands that a suspension pending investigation can be a stressful situation, it reminds Vitato that disobeying a superior's orders is not proper conduct under KRS 161.120 or the Code of Ethics. The Board urges Vitato not to put himself or his colleagues in such a situation in the future.

Vitato is no longer employed in the education profession. Prior to accepting a position requiring Kentucky teacher certification in the future, Vitato shall submit written proof that he has taken a course of training/professional

development on the topic of educator ethics. Any cost for said training shall be paid for by Vitato. Failure to provide written proof of this training prior to accepting a position requiring Kentucky teacher certification in the future will result in Certificate Number 200704100 being administratively suspended until such time as Vitato provides the written proof.

Vitato is no longer employed in the education profession. Prior to accepting a position requiring Kentucky teacher certification in the future, Vitato shall submit written proof that he has taken a course of training/professional development on the topic of classroom management. Any cost for said training shall be paid for by Vitato. Failure to provide written proof of this training prior to accepting a position requiring Kentucky teacher certification in the future will result in Certificate Number 200704100 being administratively suspended until such time as Vitato provides the written proof.

Vitato 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*

1902181 Julie Burkhardt

Burkhardt has provided written proof to the Board that she has taken a course of professional development/training on the subject of classroom management.

Burkhardt 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*

1904415 Wesley Scarberry

Accept Agreed Order retroactively suspending Certificate Number 200204944 from June 1, 2019 to July 15, 2019, a period of forty-five days.

On or before November 1, 2020, Scarberry shall provide proof to the Board that he has taken a course of training/professional development on the topic of educator ethics as approved by the Board. Scarberry shall pay any cost associated with the training. Failure to provide the written proof on or before November 1, 2020 will result in

Certificate Number 200204944 being administratively suspended until such time as Scarberry provides the proof.

On or before November 1, 2020, Scarberry shall provide proof to the Board that he has taken a course of training/professional development on the topic of Fiscal Management for Kentucky School Certified Personnel as approved by the Board. Scarberry shall pay any cost associated with the training. Failure to provide the written proof on or before November 1, 2020 will result in Certificate Number 200204944 being administratively suspended until such time as Scarberry provides the proof.

From the date the Board approves this Order, Certificate Number 200204944 will be under a probationary period of two years and subject to the following condition:

Scarberry shall not receive any disciplinary action from any school district in which he is employed. If Scarberry fails to satisfy this condition, any certificate issued to him 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 pursuant to KRS 161.790 and upheld, if requested, by either a tribunal and/or arbitration process including any appeal therefrom.

Scarberry 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*

1904431 Kyle Gordon

Accept Agreed Order admonishing Gordon for sending inappropriate communications to a student. Exchanging personal text messages with students is inappropriate no matter the intent. As an education professional, it is Gordon’s responsibility to set and maintain appropriate boundaries with all students.

Gordon is no longer employed in Kentucky public schools and his certification has expired. Prior to applying for renewal of his certification or applying for a new certification in the future, Gordon shall submit written proof

that he has taken a course of professional development/training on the subject of educator ethics. Any cost for said training shall be paid for by Gordon. Failure to provide this proof prior to applying for renewal or a new certification will result in Gordon's application not being processed until such proof is provided.

Gordon is no longer employed in Kentucky public schools and his certification has expired. Prior to applying for renewal of his certification or applying for a new certification in the future, Gordon shall submit written proof that he has taken a course of professional development/training on the subject of Appropriate Teacher/Student Boundaries. Any cost for said training shall be paid for by Gordon. Failure to provide this proof prior to applying for renewal or a new certification will result in Gordon's application not being processed until such proof is provided.

Gordon is no longer employed in Kentucky public schools and his certification has expired. Prior to applying for renewal of his certification or applying for a new certification in the future, Gordon shall submit written proof to the Board from a duly licensed or certified psychiatrist or mental health professional, as approved by the Board, that he has complied with a mental health assessment, and is fit to return to the classroom, presents as capable of performing his duties as an educator, is not a danger to himself or others, and is compliant with all treatment recommendations. If the evaluating psychiatrist or mental health professional recommends ongoing treatment, Gordon shall provide to the Board quarterly written progress reports to begin three (3) months after submission of the initial evaluation to the Board, until the evaluating psychiatrist or mental health professional releases Gordon from treatment. Gordon shall pay any expense incurred. Failure to provide this proof prior to applying for renewal or a new certification will result in Gordon's application not being processed until such proof is provided.

If Gordon should apply for renewal of his certification or a new certification in the future, he will be under a five year probation and subject to the following condition:

Gordon shall not receive any disciplinary action for violating the Professional Code of Ethics for Kentucky Certified

School Personnel from any school district in which he is employed. If Gordon fails to satisfy this condition, Certificate Number 201215242 or any other certificates held by Gordon shall be automatically 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 Gordon 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.

Gordon 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*

1906639 Tamatha Bradley

Accept Agreed Order retroactively suspending Certificate Number 199700900 for 1 year, from the period of November 1, 2018, to November 1, 2019.

Bradley has provided records showing that she has completed alcohol/substance abuse treatment. She has also provided numerous letters of recommendation.

If Bradley should decide to return to any position requiring Kentucky teacher certification, she shall provide written proof to the Board that she has taken six hours of training/professional development on the topic of educator ethics. Any cost for said training shall be paid for by Bradley. Failure to provide this proof prior to accepting a position requiring Kentucky teacher certification shall result in Certificate 199700900 being administratively suspended until such time as Bradley provides the written proof.

Prior to accepting a position requiring Kentucky teacher certification, Bradley shall provide written proof that she has undergone a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board. Any expense for the assessment and written reports shall be paid by Bradley.

If Bradley's chemical dependency counselor makes any treatment recommendations, Bradley shall comply with the treatment recommendations. Bradley shall submit quarterly written progress reports from her counselor to the Board until such time as the counselor releases her from treatment. Any expense for the treatment and/or written reports shall be paid by Bradley. Failure to comply with this condition will result in Certificate 199700900 being automatically suspended until Bradley is in compliance.

If Bradley should decide to return to a position requiring Kentucky teacher certification, Certificate 199700900 shall be under a 5 year probation period beginning on Bradley's first day of employment and will be subject to the following conditions:

1. Bradley shall submit to the Board by January 1st of each year during the probationary period documentation from her current treatment provider or Alcoholics Anonymous sponsor stating that she is maintaining sobriety and still seeking support and continued assistance in maintaining her sobriety. Bradley shall pay any expense incurred. If Bradley fails to satisfy this condition, Certificate Number 199700900 shall be administratively suspended until such condition is satisfied.
 2. Bradley shall have no criminal convictions involving the use and/or possession of alcohol/controlled substance during the probationary period. If Bradley is convicted of, or enters a guilty or no contest plea, to any criminal charge involving the use and/or possession of alcohol/controlled substance, Bradley shall submit such documentation to the Board within thirty (30) days. If Bradley fails to satisfy any portion of this condition, Certificate Number 199700900 shall be administratively suspended pending Board review and disposition.
 3. Bradley shall submit to the Board by January 1st of each year of the probationary period a copy of her current criminal record, as prepared by the Administrative Office of the Courts. Bradley shall pay any expense incurred. If Bradley fails to satisfy this condition, Certificate Number 199700900 shall
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be administratively suspended until such condition is satisfied.

4. Bradley shall not receive any disciplinary action involving alcohol/controlled substance from any school district in which she is employed during the probationary period. If Bradley fails to satisfy this condition, Certificate Number 199700900 shall be automatically 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.

Bradley 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

110121 Ray Canady

Decision

Accept the hearing officer's Findings of Fact, Conclusions of Law and Recommended Order that Certificate Number 200229607 is permanently revoked. Canady shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future. Upon issuance of this Order by the Board, Canady 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 (Mr. Smith recused)*

1407440 Martha Grundy

Accept the hearing officer's Findings of Fact, Conclusions of Law and Recommended Order that Certificate Number 000064501 will not be renewed nor reissued in Respondent's lifetime.

Vote: *Unanimous*

1412847 Dana Calhoun

Accept the hearing officer's Findings of Fact, Conclusions of Law and Recommended Order that Respondent is admonished for inappropriately grabbing a student by the

shirt and for continuous violations of IEP documentation. The Board reminds Respondent that as a certified educator in the Commonwealth of Kentucky, he has a duty to uphold the Professional Code of Ethics in the future. The Board will not tolerate any future incidence of the kind by Respondent.

Respondent is not presently employed as a certified teacher. Should he decide to return to the profession in the future, Respondent shall complete the following conditions within one (1) year of accepting a certified position in the Commonwealth:

1a. Respondent shall provide written proof to the Board that he has attended six (6) hours of training in classroom management with an emphasis on de-escalation. Any expense involved in meeting this requirement shall be paid by Respondent. If Respondent fails to satisfy this condition, Certificate Number 201125488 shall be suspended until the condition is met.

1b. Respondent shall provide written proof to the Board that he has attended six (6) hours of training on Individualized Education Program documentation. Any expense involved in meeting this requirement shall be paid by Respondent. If Respondent fails to satisfy this condition, Certificate Number 201125488 shall be suspended until the condition is met.

Furthermore, upon acceptance of a certified position, Certificate Number 201125488 shall be on a two (2) year probation with the following conditions:

1. During the probationary period, Respondent shall not receive any disciplinary action from any school district in the Commonwealth of Kentucky for inappropriate use of force or IEP violations. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. If Respondent fails to satisfy this condition, Certificate Number 201125488 shall automatically be suspended pending Board review and disposition.

Vote: *Unanimous*

of Law and Recommended Order that Certificate Number 201188091 is permanently revoked. Domingue shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future. Upon issuance of this Order by the Board, Domingue 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*

16121057 Teresa Lopiccolo

Accept the hearing officer's Findings of Fact, Conclusions of Law and Recommended Order that Certificate Number 201110800 is revoked for a period of three (3) years. During the revocation period, Respondent shall neither apply nor be issued an emergency substitute, teaching, or administrative certificate.

Prior to reissuance of Certificate Number 201110800, Respondent shall:

1. Respondent shall undergo a comprehensive substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board. Respondent shall also submit written proof to the Board that she has complied with the assessment process.

2. Respondent shall submit written proof to the Board that she has professional development training on professionalism. Any expense for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, Certificate Number 201110800 shall be administratively suspended until such condition is satisfied and she provides the appropriate written proof to the Board.

3. Respondent shall submit written proof to the Board that she has professional development training on educator ethics. Any expense for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, Certificate Number 201110800 shall be administratively suspended until such condition is satisfied and she provides the appropriate written proof to the Board.

Upon the Board's acceptance of this Agreed Order, Certificate Number 201110800 and any future endorsements

or new areas of certification, shall be on probation for a period of five (5) years and subject to the following probationary conditions:

1. Respondent shall submit written progress reports from her chemical dependency counselor every thirty (30) days or until such time as the counselor releases her from treatment. Each progress report shall certify that Respondent is continuing to comply with any and all treatment recommendations, and that she remains fit and competent to fulfill her duties as an educator. Any expense for the assessment, treatment, and/or written reports shall be paid by Respondent. If Respondent fails to satisfy this condition, Certificate Number 201110800 shall be administratively suspended until such condition is satisfied and she provides the appropriate written proof to the Board.

2. In accordance with KRS 161.175, Respondent shall submit to random drug testing during the probationary period, to be administered by a provider approved by the Board, and shall receive no drug test positive for illegal substances or in excess of therapeutic levels generally acceptable in the medical community. Any expense required for the drug testing shall be paid by Respondent. If Respondent tests positive for a prohibitive substance, Certificate Number 201110800 shall be administratively suspended pending review by the Board and subject to additional sanctions by the Board pursuant to KRS 161.120.

3. During the probationary period, Respondent shall not receive any disciplinary action from any school district in the Commonwealth of Kentucky for neglect of duty.

“Disciplinary action” is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process.”

If Respondent fails to satisfy this condition, Certificate Number 201110800 shall automatically be suspended pending review by the Board and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

of Law and Recommended Order that the Board enter a Final Order declining to reissue or renew Respondent's teaching certificate.

Vote: *Unanimous*

18111355 Nicholas Riley

Accept the hearing officer's Findings of Fact, Conclusions of Law and Recommended Order that Certificate Number 201205601 is permanently revoked. Respondent shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future. Upon issuance of this Order by the Board, Respondent 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*

CF 16333 Christopher Parker

Reject the hearing officer's Findings of Fact, Conclusions of Law and Recommended Order. Issue a Final Order in line with the Board's discussion upholding the Board's denial of Christopher Parker's application for certification.

Vote: *Unanimous*

Motion made by Mr. Morgan seconded by Ms. Smith to adjourn the meeting.

Vote: *Unanimous*

Meeting adjourned at 3:08 p.m.
