

**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, 5<sup>th</sup> Floor, Frankfort, KY 40601**

**Monday, February 12, 2024**

**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**

**Report of the Interim Commissioner**

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

**Open Speak**

**Report of the Chair**

- A. Nomination and Election of Chair
- B. Nomination and Election of Vice-Chair
- C. Other Updates

**Approval of Consent Items**

- A. Approval of December 11, 2023, EPSB Meeting Minutes
- B. Option 9 Application, Bath County Schools and University of the Cumberlands (Dr. Melissa Diebel)
- C. Option 9 Application, Spencer County Schools and Midway University (Dr. Diebel)

- D. Kentucky State University: Approval of Proficiency Plan (Ms. Kim Arington)
- E. Northern Kentucky University: Approval of Proficiency Plan (Ms. Arington)
- F. Western Kentucky University: Approval of Proficiency Plan (Ms. Arington)
- G. Graves County Schools: Continuing Education Option Plan II Proposal (Ms. Sharon Salsman)
- H. Paducah Independent Schools: Continuing Education Option Plan II Proposal (Ms. Salsman)
- I. 2023-2024 Emergency Non-Certified School Personnel Program for Clark County (Mr. Brandon Harrod)

### **Information/Discussion Items**

- A. 16 KAR 5:040, Admission, Placement and Supervision in Student Teaching, Amendment (Ms. Cassie Trueblood)

### **Action Items**

- A. 16 KAR 2:120, Emergency Certification and Out-of-Field Teaching, Amendment (Ms. Trueblood)
- B. 16 KAR 2:160, Probationary Certificate for Teachers of Exceptional Children, Amendment (Ms. Trueblood)
- C. 16 KAR 4:030, Out-Of-State-Educator Preparation, Amendment (Ms. Trueblood)
- D. Thomas More University: Approval of Initial Programs (Dr. Diebel)
- E. University of Kentucky: Approval of Programs (Dr. Diebel)
- F. Option 7 Institute Proposal, iteach (Ms. Salsman)

### **Waivers**

- A. 16 KAR 2:120. Request to Waive Emergency Certificate Requirements for Powell County Schools (Ms. Salsman)
- B. 16 KAR 4:080. Request to Waive Out-of-State Recency Requirement for Kimberly Hayes (Ms. Salsman)
- C. 16 KAR 4:080. Request to Waive Out-of-State Recency Requirement for Stacey Ricketts (Ms. Salsman)
- D. 16 KAR 6:010. Request to Waive Ten Year Recency Requirement for Praxis for Tasha Crane (Ms. Salsman)
- E. 16 KAR 5:040. Alternative Student Teaching Placement Request for Lynnzey Blevins (Mr. Harrod)
- F. 16 KAR 5:040. Alternative Student Teaching Placement Request for Grace Douglas (Mr. Harrod)
- G. 16 KAR 5:040. Alternative Student Teaching Placement Request for Korryn Ewen (Mr. Harrod)

H. 16 KAR 5:040. Request to Waive Cooperating Teacher Eligibility Requirements for Kayla Prater (Mr. Harrod)

**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. The Board will also review pending litigation.*

**Case Decisions**

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

**Adjournment**

**Next Meeting:**

April 8, 2024  
300 Sower Blvd  
Frankfort, KY 40601

*The actions delineated below were taken in open session of the EPSB at the December 11, 2023, 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, 5<sup>th</sup> Floor, Frankfort, KY 40601.*

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

**Call to Order**

Chair Justin Mitchell called the meeting to order at 12:05 p.m. ET. Chair Justin Mitchell read the mission statement to the EPSB and audience.

**Roll Call**

The following Board members were present during the December 11, 2023, EPSB meeting: Amanda Ellis, Diane Berry, Cathy Gunn, C.J. Fryer, Priscilla Keller, Amy Lingo, Jacqueline Mayfield, Corinne Murphy, Lisa Rudzinski, Amber Snell, Vice-Chair Weedman, and Chair Justin Mitchell.

CPE: Amanda Ellis

Cabinet: Absent

**Consent Items**

Approval of October 9, 2023, EPSB Meeting Minutes  
Approval of November 2, 2023, EPSB Meeting Minutes  
Approval for the Training Submitted by the Professional Learning Board  
Approval for the Student Supervision Training Submitted by ACE Education Services  
Approval for the Educator Ethics Training Additions Submitted by ACE Education Services  
Option 9 Application, Henry County Schools and Eastern Kentucky University  
Option 9 Application, Powell County Schools and Midway University  
Option 9 Application, Bourbon County Schools and Morehead State University  
Option 9 Application, Raceland-Worthington Independent Schools and Morehead State University  
Option 9 Application, Campbell County Schools and Northern Kentucky University  
Option 9 Application, Bell County Schools and University of the Cumberlands  
Option 9 Application, Boone County Schools and University of the Cumberlands  
Option 9 Application, Fleming County Schools and University of the Cumberlands  
Option 9 Application, Hickman County Schools and University of the Cumberlands  
Option 9 Application, Monroe County Schools and University of the Cumberlands  
Option 9 Application, Owsley County Schools and University of the Cumberlands  
Option 9 Application, Raceland-Worthington Schools and University of the Cumberlands  
Option 9 Application, Shelby County Schools and University of Louisville  
Boyce College Program Approval: Secondary English and Social Studies Programs  
Kentucky Educational Development Corporation: Literacy CEO Plan II Proposal

Northern Kentucky Cooperative for Educational Services: Literacy CEO Plan II Proposal  
West Kentucky Educational Cooperative: Literacy CEO Plan II Proposal

**2023-214**

*Motion made by Ms. Jacqueline Mayfield, seconded by Ms. Amber Snell, to approve.*

**Vote:** Unanimous

**Report from the Commissioner**

Interim Commissioner Robin Kinney gave an update from the Kentucky Department of Education.

**Report from the Chair**

Chair Mitchell thanked Interim Commissioner Kinney for joining the meeting.

**Information/Discussion Items**

16 KAR 2:120, Certification Requirements for Teachers of Exceptional Children, Amendment  
Cassie Trueblood presented amendments to 16 KAR 2:120 for a first reading.

**Action Items**

16 KAR 4:020, Certification Requirements for Teachers of Exceptional Children, Amendment  
**2023-215**

*Motion made by Ms. Sarah Weedman, seconded by Captain Lisa Rudzinski, to approve.*

**Vote:** Unanimous

EPSB Goals and Legislative Priorities

**2023-216**

*Motion made by Ms. Amber Snell, seconded by Dr. Corrine Murphy, to approve.*

**Vote:** Unanimous

Early Literacy Assessments

**2023-217**

*Motion made by Captain Lisa Rudzinski, seconded by Dr. Corrine Murphy, to approve.*

**Vote:** Unanimous

Expanded Assessment Options

**2023-218**

*Motion made by Dr. Corrine Murphy, seconded by Ms. Amber Snell, to extend -1 SEM and the pilot of the PPAT through December 31, 2024.*

**Vote:** Unanimous

16 KAR 6:020. Assessment Prerequisites for Occupation-Based Career and Technical Education Certification

**2023-219**

*Motion made by Mr. C.J. Fryer, seconded by Ms. Diane Berry, to approve.*

**Vote:** Unanimous

Option 7 Institute Proposal, iteach

**2023-220**

*Motion made by Ms. Sarah Weedman, seconded by Ms. Jacqueline Mayfield, to deny. Motion made by Ms. Sarah Weedman to revise the motion and defer consideration of the proposal for additional information and to allow iteach the opportunity to attend the next meeting, seconded by Dianne Berry.*

**Vote:** Unanimous

**Waivers**

16 KAR 2:120. Request to Waive Emergency Certificate Requirements for Bourbon County Schools

**2023-221**

*Motion made by Mr. C.J. Fryer, seconded by Ms. Amber Snell, to approve.*

**Vote:** Unanimous

16 KAR 2:120. Request to Waive Emergency Certificate Requirements for Grant County Schools

**2023-222**

*Motion made by Captain Lisa Rudzinski, seconded by Ms. Sarah Weedman, to approve.*

**Vote:** Unanimous

16 KAR 2:120. Request to Waive Emergency Certificate Requirements for Letcher County Schools

**2023-223**

*Motion made by Ms. Diane Berry, seconded by Ms. Amber Snell to approve.*

**Vote:** Unanimous

16 KAR 2:120. Request to Waive Emergency Certificate Requirements for Newport Independent Schools

**2023-224**

*Motion made by Ms. Lisa Rudzinski, seconded by Ms. Amber Snell, to approve.*

**Vote:** Unanimous

16 KAR 4:030. Request to Waive Equivalent Certification Requirement for Out-of-State Prepared Educator, CeCoiya Johnson

**2023-225**

*Motion made by Ms. Jacqueline Mayfield, seconded by Ms. Lisa Rudzinski, to approve.*

**Vote:** Unanimous

**Alternative Routes**

Kelly Birge, English, Grades 5-9

**2023-226**

*Motion made by Dr. Corrine Murphy, seconded by Ms. Amber Snell, to approve.*

**Vote:** Unanimous

Jamayne West, Health and Physical Education, All Grades

**2023-227**

*Motion made by Captain Lisa Rudzinski, seconded by Ms. Priscilla Keller, to approve.*

**Vote:** *Unanimous*

*Motion made by Ms. Amber Snell seconded by Ms. Sarah Weedman, 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. Christopher J. Fryer seconded by Captain Lisa Rudzinski, to return to open session.*

**Vote:** *Unanimous*

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

Diane Berry, Christopher J. Fryer, Cathy Gunn, Priscilla Keller, Amy Lingo, Jacqueline Mayfield, Justin Mitchell, Corinne Murphy, Lisa Rudzinski, and Amber Snell.

Attorneys present were Cody Hollan, BreAnna Listermann, Norah Softic, Cassie Trueblood, and Thomas Wall.

**Initial Case Review**

<b><u>Case Number</u></b>	<b><u>Decision</u></b>
2355535	Defer for Training
2355527	Defer for Training
2355320	Defer for Training
2355351	Attorney Review
2355139	Dismiss w/Prejudice
2355459	Attorney Review
2355523	Attorney Review
2355458	Attorney Review
2355452	Attorney Review
2355450	Attorney Review
2355365	Admonish
2355363	Attorney Review
2355356	Attorney Review
2355355	Attorney Review
2355353	Attorney Review
2355291	Attorney Review
2355457	Attorney Review
2355467	Attorney Review
2355448	Attorney Review
2355380	Attorney Review
2355379	Dismiss w/Prejudice
2355536	Dismiss w/Prejudice
2355357	Admonish

2355298	Dismiss w/Prejudice
2355287	Attorney Review
2355352	Attorney Review
2355453	Attorney Review
2355318	Admonish
2355358	Admonish
2355367	Dismiss w/Prejudice
2355368	Dismiss w/Prejudice
2355370	Defer for Training
2355451	Dismiss w/Prejudice
2355163	Refer to Hearing
2355055	Refer to Hearing
2355267	Refer to Hearing
2355411	Refer to Hearing
220297	Refer to Hearing
2254227	Refer to Hearing
2254731	Refer to Hearing
2254824	No Further Action
2254335	Refer to Hearing
2355058	Refer to Hearing
2354982	Refer to Hearing
2254751	Refer to Hearing
2254583	Dismiss w/Prejudice
2354904	Dismiss w/Prejudice
2354929	Dismiss w/Prejudice
2354970	Dismiss w/Prejudice
2203267	DWOP
2354905	DWOP
2354907	Admonish
2254856	Admonish
2254845	Admonish
2254748	Admonish
2355224	Dismiss w/Prejudice
2355222	Dismiss w/Prejudice
2355221	Dismiss w/Prejudice
2355075	Dismiss w/Prejudice

**Character/Fitness Review**

<b><u>Case Number</u></b>	<b><u>Decision</u></b>
2355498	Approve
2355500	Defer
2355503	Approve
2355504	Approve
2355551	Approve
2355502	Approve
2355492	Deny



2355554	Approve
2355610	Approve
2355620	Approve
2355032	Approve (w/conditions)
2355624	Approve (w/conditions)
2355419	Approve
2355499	Approve
2355505	Approve
2355506	Deny
2355507	Approve
2355550	Approve
2355560	Approve
2355561	Approve
2355596	Deny
2355597	Approve
2355605	Deny
2355606	Approve
2355607	Approve
2355552	Deny
2355613	Approve
2355616	Approve
2355617	Approve
2355618	Approve
2355501	Deny
2355611	Approve

**Agreed Orders**

**Case Number**

20121591 Tiffany Graves

**Decision**

Accept Agreed Order suspending Certificate Number 201123008 forty-five (45) days from June 10, 2021 to July 25, 2021. Graves shall not be employed in a certified position during the suspension period.

On or before March 1, 2024, Graves shall submit written proof to the Board that she has completed the following Board-approved professional development trainings or courses:

- 1) Any training under the heading of “Educator Ethics” on the attached pre-approved Board training list (Attachment A).

Any cost for said trainings shall be paid for by Graves. Failure to submit written proof of completion on or before the deadline will result in Certificate Number 201123008

being administratively suspended until such time as the Board receives the written proof of completion.

Certificate Number 201123008, including any and all endorsements, is hereby subject to the following probationary condition for a period of five (5) years:

1. In accordance with KRS 161.175, Graves 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 Graves. Failure to abide by this condition shall result in an administrative suspension pending Board review and disposition.
2. During the probationary period, Graves shall not receive any disciplinary action from any school district in the Commonwealth of Kentucky.

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

Failure to uphold this condition will result in Certificate 201123008 being administratively suspended pending further Board review and disposition.

Graves 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*

2355433 Eryk McDaniel

Accept Agreed Order stating McDaniel shall be issued a Kentucky teaching certificate upon providing proof that he has met the academic and testing requirements necessary for issuance of a certificate, and by June 1, 2023, and has completed the following:

1. McDaniel shall submit written proof to the Board that he has completed the following trainings or courses on the attached pre-approved Board training list (Attachment A):
  - a. “Educator Ethics & the Law”;
  - b. “Understanding Educator Ethics”;
  - c. “Professional Code of Ethics for Kentucky School Certified Personnel”;

Any cost for said trainings shall be paid for by McDaniel.

Any and all certificates issued to McDaniel shall be subject to a ten (10) year probationary period with the following conditions:

1. McDaniel shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. A violation is not considered a minor traffic violation if it is a violation for which jail time may be imposed. If McDaniel is convicted of, or enters a guilty or no contest plea, to any criminal charge other than minor traffic violations, he shall submit this information to the Board, in writing, within thirty (30) days. Failure to comply with this condition will result in McDaniel’s certificate being automatically suspended pending Board review and disposition.
2. During the probationary period, McDaniel shall not receive any disciplinary action from any school district in the Commonwealth of Kentucky. “Disciplinary action” is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. Failure to comply with this condition will result in McDaniel’s certificate being automatically suspended pending Board review and disposition.
3. McDaniel shall submit a copy of his Kentucky State Police or Administrative Office of the Courts background check by July 1st of each year. Any expense required to satisfy this condition shall be paid by McDaniel. Failure to comply with this

condition will result in McDaniel's certificate being automatically suspended until such condition is satisfied.

McDaniel 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. Fryer recused)*

2355444 Mary Houchens

Accept Agreed Order stating upon acceptance of this agreement by the Board, Houchens shall be issued the Option 5 teaching certification she applied for on September 4, 2023, subject to the following conditions:

1. Within sixty (60) days of the issuance of the emergency substitute certificate, Houchens shall submit written proof to the Board that she has completed a training under the heading of "Educator Ethics" on the attached pre-approved Board training list (Attachment A) . Houchens shall pay any expense incurred. If Houchens fails to satisfy this condition, any and all certificates issued to her shall be administratively suspended until such condition is satisfied.

Finally, upon issuance, any and all certificates issued to Houchens shall be subject to the following probationary conditions for a period of five (5) years:

1. Houchens shall have no further criminal convictions. If Houchens is convicted of, or enters a guilty or no contest plea, to any criminal charge, she shall notify the Board in writing within thirty (30) days. Violation of this provision shall result in any and all certificates issued to her being administratively suspended pending Board review and disposition.
2. On June 1st, each year of probation, Houchens shall submit a copy of her current criminal record, as prepared by the Administrative Office of the Courts. Any expense required to satisfy this condition shall be paid by Houchens. Failure to comply with this condition shall result in an administrative suspension until Houchens is compliant.

**Vote:** *Unanimous*

2254843 Laura Connolly

Accept Agreed Order stating the EPSB has received proof that Connolly has completed Administration Code Training as requested by the Board. As a result, Case Number 2254483 is hereby dismissed with prejudice.

**Vote:** *Unanimous*

2355203 Judith Paul

Accept Agreed Order suspending Certificate Number 200100520 for five (5) days from December 25, 2023 through December 30, 2023. During the suspension period, Paul shall not apply for nor accept any certified positions in the Commonwealth of Kentucky and Paul shall not perform any duties in a certified position in the Commonwealth of Kentucky.

The Board reprimands Paul for her lack of professional judgment regarding her inappropriate comment and failure to maintain composure. The Board reminds Paul that as a certified educator she is required to meet high ethical standards as defined by the Professional Code of Ethics for Certified Educators.

Prior to June 1, 2024, Paul shall submit written proof to the Board that she has completed the following trainings or courses on the attached pre-approved Board training list (Attachment A):

1. "Trauma-Informed Pedagogy"; and
2. "Professional Code of Ethics for Kentucky School Certified Personnel."

Any cost for said trainings shall be paid for by Paul. Failure to submit written proof of completion prior to June 1, 2024 will result in Certificate Number 200100520 being administratively suspended until such time as Paul provides the written proof.

Upon acceptance of this agreement by the Board, Certificate Number 200100520, and any future endorsements or new areas of certification, shall be subject to the following probationary condition for two (2) years:

1. During the probationary period, Paul shall not receive any disciplinary action from any school district in the

Commonwealth of Kentucky. “Disciplinary action” is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. Failure to uphold this condition will result in Certificate 200100520 being administratively suspended pending further Board review and disposition.

Paul 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. Fryer recused)*

2355359 Scott Melton

Accept Agreed Order stating upon acceptance of this agreement by the Board, Certificate number 200100520 is retroactively suspended beginning May 20, 2023 to May 23, 2023. Melton shall not be actively employed in a certified position during the suspension period. Pursuant to KRS 161.020(1)(a): No person shall be eligible to hold the position of superintendent, principal, teacher, supervisor, director of pupil personnel, or other public-school position for which certificates may be issued, or receive salary for services rendered in the position, unless he or she holds a certificate of legal qualifications for the position, issued by the Education Professional Standards Board. Melton acknowledges it is his responsibility to consult with his employer to determine any consequences to salary or employment benefits as a result of this agreement.

Prior to June 1, 2024, Melton shall submit written proof to the Board that he has completed the following trainings or courses on the attached pre-approved Board training list (Attachment A):

1. A course under the “Educator Ethics” heading;
2. “Positive Professional Relationships”; and
3. “Developing a Healing-Centered Self Care Practice.”

Any cost for said trainings shall be paid for by Melton. Failure to submit written proof of completion prior to June 1, 2024 will result in Certificate Number 200100520 being administratively suspended until such time as Melton provides the written proof.

Upon acceptance of this agreement by the Board, Certificate Number 200100520, and any future endorsements or new areas of certification, shall be subject to the following probationary condition for two (2) years:

1. During the probationary period, Melton shall not receive any disciplinary action from any school district in the Commonwealth of Kentucky. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. Failure to uphold this condition will result in Certificate 200100520 being administratively suspended pending further Board review and disposition.

Melton 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*

2355305 Christopher Powers

Accept Agreed Order reprimanding Powers for engaging in an extramarital affair with a subordinate employee. The Board directs and Powers acknowledges that he, like all teachers and school administrators, has a professional responsibility to treat colleagues with dignity and respect in all circumstances. The Board urges Powers to exercise better judgment going forward. The Board will not tolerate any further incidents of misconduct from Powers.

Prior to June 1, 2024, Powers shall submit written proof to the Board that he has completed the following trainings or courses on the attached pre-approved Board training list (Attachment A):

1. "Professional Code of Ethics for Kentucky School Certified Personnel";
2. "Educator Ethics & the Law";
3. "Understanding Educator Ethics"; and
4. "Sexual Harassment in the Workforce Training."

Any cost for said trainings shall be paid for by Powers. Failure to submit written proof of completion prior to June 1, 2024 will result in Certificate Number 200219005 being

administratively suspended until such time as Powers provides the written proof.

Upon acceptance of this agreement by the Board, Certificate Number 200219005, and any future endorsements or new areas of certification, shall be subject to the following probationary condition for three (3) years:

1. During the probationary period, Powers shall not receive any disciplinary action from any school district in the Commonwealth of Kentucky. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. Failure to uphold this condition will result in Certificate 200219005 being administratively suspended pending further Board review and disposition.

Powers 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*

2355375 David Dixon

Accept Agreed Order stating upon acceptance of this agreement by the Board, Certificate Number 200703638 is permanently revoked. Dixon shall neither apply for, nor be issued, a teaching, administrative and/or emergency certificate in the Commonwealth of Kentucky at any time in the future.

**Vote:** *Unanimous*

2355377 Ashley Wells

Accept Agreed Order stating upon acceptance of this agreement by the Board, Certificate Number 200306064 is permanently revoked. Wells shall neither apply for, nor be issued, a teaching, administrative and/or emergency certificate in the Commonwealth of Kentucky at any time in the future.

**Vote:** *Unanimous*

2355309 Rebecca Nistrath

Accept Agreed Order stating Nistrath shall neither apply for, nor be issued any Certificate for Teaching Exceptional Children – Moderate and Severe Disabilities, Grades Primary Through 12 in the Commonwealth of Kentucky at



any time in the future. If Niestrath violates this provision, then Certificate Number 201163940, Certificate for Teaching Exceptional Children – Moderate and Severe Disabilities, Grades Primary Through 12, shall be automatically permanently revoked, and/or any application for School Certificate for Teaching Exceptional Children – Moderate and Severe Disabilities, Grades Primary Through 12 shall be denied. Niestrath is permitted to retain her other certifications designated under Certificate Number 201163940.

Prior to June 1, 2024, Niestrath shall submit written proof to the Board that she has completed the following trainings or courses on the attached pre-approved Board training list (Attachment A):

1. A course under the “Educator Ethics” heading
2. “Roadblocks to Effective Communication”; and
3. “Functional Behavior Assessment and Intervention Plans.”

Any cost for said trainings shall be paid for by Niestrath. Failure to submit written proof of completion prior to June 1, 2024 will result in Certificate Number 201163940 being administratively suspended until such time as Niestrath provides the written proof.

Upon acceptance of this agreement by the Board, Certificate Number 201163940, and any future endorsements or new areas of certification, shall be subject to the following probationary condition for three (3) years:

1. During the probationary period, Niestrath shall not receive any disciplinary action from any school district in the Commonwealth of Kentucky. “Disciplinary action” is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. Failure to uphold this condition will result in Certificate 201163940 being administratively suspended pending further Board review and disposition.

Niestrath 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*

2355156 Alex Taylor

Accept Agreed Order retroactively suspending Certificate Number 201150982 from July 1, 2023, through July 30, 2023, a period of thirty (30) days.

Prior to April 1, 2024, Taylor shall provide written proof to the Board that he has completed a training under the heading of “Educator Ethics” on the attached pre-approved Board training list (Attachment A). Taylor shall pay any expense incurred. If Taylor fails to satisfy this condition, Certificate Number 201150982 shall be administratively suspended until such condition is satisfied.

Prior to April 1, 2024, Taylor shall provide written proof to the Board that he has completed a training under the heading of “Classroom Management” on the attached pre-approved Board training list (Attachment A). Taylor shall pay any expense incurred. If Taylor fails to satisfy this condition, Certificate Number 201150982 shall be administratively suspended until such condition is satisfied.

Finally, Certificate Number 201150982 shall be subject to the following condition for a period of two (2) years:

1. Taylor shall not receive any disciplinary action from any school district in which he is employed. If Taylor fails to satisfy this condition, Certificate Number 201150982 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.

Taylor 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*

2355364 Michael Mascardo

Accept Agreed Order stating upon acceptance of this agreement by the Board, Certificate Number 201123456 is permanently revoked. Mascardo shall neither apply for, nor be issued, a teaching, administrative and/or emergency certificate in the Commonwealth of Kentucky at any time in the future. Mascardo 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.

Mascardo 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*

2355016 Barbi Mercer

Accept Agreed Order stating upon acceptance of this agreement by the Board, Certificate Number 000066763 shall be retroactively suspended from April 13, 2022 to July 13, 2022, for a period of three (3) months.

Mercer provided written proof to the Board that she completed a comprehensive alcohol/substance abuse assessment by a Kentucky licensed or certified chemical dependency counselor, which resulted in ongoing treatment recommendations. Mercer has been compliant with the recommendations.

Prior to February 1, 2024, Mercer shall provide proof to the Board that she has completed a training under the heading of "Educator Ethics" on the attached pre-approved Board training list (Attachment A). Mercer shall pay any expense incurred. If Mercer fails to satisfy this condition, Certificate Number 000066763 shall be administratively suspended until such condition is satisfied.

Finally, Certificate number 000066763, and any future endorsements or new areas of certification, shall be subject to the following probationary conditions for five (5) years:

1. Beginning on January 1, 2024, Mercer shall submit written progress reports from a licensed or certified counselor on January 1st and July 1st of every year of the probation, indicating she is compliant with all treatment recommendations, until she is released

from treatment. If Mercer fails to satisfy any of these conditions, any and all certificates issued to her shall be administratively suspended until such conditions are satisfied.

2. Mercer shall not receive any disciplinary action from any school district in which she is employed. If Mercer 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.

Mercer 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*

220283 Kimberly Tinsley

Accept Agreed Order stating Tinsley voluntarily, knowingly, and intelligently surrenders Certificate Number 201173751, and agrees to not apply for, nor be issued, a teaching, administrative, or emergency certificate in the Commonwealth of Kentucky at any time in the future. Tinsley 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*

2355056 Michelle Turner

Accept Agreed Order stating upon acceptance of this agreement by the Board, Turner shall not seek or accept any position of employment in Kentucky that requires the use of Certificate Number 200227957. Upon the natural expiration of Certificate Number 200227957, Turner shall neither apply for, nor be issued, a teaching, administrative or emergency certificate in the Commonwealth of Kentucky at any time in the future. If Turner violates this agreement, Certificate Number 200227957 shall be automatically permanently

revoked, and/or any application for certification shall be denied.

Turner 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*

2355330 Donald Morehead

Accept Agreed Order stating upon acceptance of this agreement by the Board, Morehead shall be issued the emergency substitute certificate he applied for on July 21, 2023, subject to the following conditions:

1. Within sixty (60) days of the issuance of the emergency substitute certificate, Morehead shall submit written proof to the Board that he has completed a training under the heading of “Educator Ethics” on the attached pre-approved Board training list (Attachment A) . Morehead shall pay any expense incurred. If Morehead fails to satisfy this condition, any and all certificates issued to him shall be administratively suspended until such condition is satisfied.
2. Within sixty (60) days of the issuance of the emergency substitute certificate, Morehead shall submit written proof to the Board that he has completed a three (3) hour training on the subject of “Fiscal Management” as approved by the Board. Morehead shall complete a pre-approved course or shall petition the Board for pre-approval of the training by following the process outlined on page 7 of the attached list under the heading “One Time Request for Training Approval” (Attachment A). Morehead shall pay any expense incurred. If Morehead fails to satisfy this condition, any and all certificates issued to him shall be administratively suspended until such condition is satisfied.

Finally, any and all certificates issued to Morehead shall be subject to the following permanent conditions:

1. Morehead shall not handle school or student funds in any capacity. If Morehead fails to satisfy this condition, any and all certificates issued to him shall

be administratively suspended pending Board review and disposition.

2. By June 1 of each year of his employment in a certified role, Morehead shall submit a letter to the Board from his supervisor confirming that he did not handle school or student funds in any capacity during the school year. If Morehead fails to satisfy this condition, any and all certificates issued to him shall be administratively suspended pending Board review and disposition.
3. Morehead shall not receive any disciplinary action from any school district in which he is employed. If Morehead 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.

**Vote:** *Unanimous*

20071265 John Muench Sr.

Accept Agreed Order stating upon acceptance of this agreement by the Board, Certificate Number 199802458 is suspended for a period of ten (10) days. Muench shall not work in a certified position during the suspension period.

Muench is retired and has no immediate plans to return to the education profession. If Muench does return to a certified position in the future, he shall fulfill the following conditions:

1. Muench shall notify the Board in writing of his intent to return to certified employment at least ten (10) days prior to returning to a certified position. If Muench fails to satisfy this condition, Certificate Number 199802458 shall be administratively suspended for ten (10) days.
2. Within thirty (30) days of returning to a certified position, Muench shall provide written proof to the Board that he has completed a training under the heading of “Educator Ethics” on the attached pre-

approved Board training list (Attachment A). Muench shall pay any expense incurred. If Muench fails to satisfy this condition, Certificate Number 199802458 shall be administratively suspended until such condition is satisfied.

3. Within thirty (30) days of returning to a certified position, Muench shall provide written proof to the Board that he has completed a training under the heading of “Diversity/Cultural Sensitivity” on the attached pre-approved Board training list (Attachment A). Muench shall pay any expense incurred. If Muench fails to satisfy this condition, Certificate Number 199802458 shall be administratively suspended until such condition is satisfied.

Further, upon returning to certified employment, Certificate Number 199802458 shall be subject to the following probationary condition for a period of two (2) years:

1. Muench shall not receive any disciplinary action from any school district he is employed. If Muench fails to satisfy this condition, Certificate Number 199802458 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.

Muench 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*

2355090 Kenetta Carey

Accept Agreed Order stating:

- a. Upon acceptance of this agreement by the Board, Certificate Number 200218012 is suspended from January 1st, 2024 to April 1st, 2024. Carey shall not be

actively employed in a certified employment during the suspension period. Pursuant to KRS 161.020(1)(a): No person shall be eligible to hold the position of superintendent, principal, teacher, supervisor, director of pupil personnel, or other public-school position for which certificates may be issued, or receive salary for services rendered in the position, unless he or she holds a certificate of legal qualifications for the position, issued by the Education Professional Standards Board. Carey acknowledges it is her/his responsibility to consult with her/his employer to determine any consequences to salary or employment benefits as a result of this Agreed Order.

- b. Carey is hereby reprimanded for failing to exercise appropriate care in handling funds on behalf of a school organization. The Board warns Carey to exercise better discretion and establish better professional boundaries in the future and will tolerate no further misconduct by Carey.
- c. On or before April 1st, 2024, Carey shall submit written proof to the Board that s/he has completed the following Board-approved professional development trainings or courses:
  - 1) Any training under the heading of “Educator Ethics” on the attached pre-approved Board training list (Attachment A).
  - 2) The specific training “Fiscal Management Training for Kentucky School Certified Personnel” on the attached pre-approved Board training list (Attachment A).

Any cost for said trainings shall be paid for by Carey. Failure to submit written proof of completion on or before the deadline will result in Certificate Number 200218012 being administratively suspended until such time as the Board receives the written proof of completion.

- d. Prior to April 1st, 2024, Carey shall provide written proof to the Board that undergone a “fit for duty” assessment by a qualified physician, therapist, or other qualified health or mental health provider and that she is fit to perform her duties as assigned. The assessment shall occur within the sixty (60) days prior to



Respondent's submission of the assessment to the Board. Carey shall pay any expense incurred. If Carey fails to satisfy any portion of this condition, Certificate Number 201219838 shall not be reinstated until such condition is satisfied.

e. Certificate Number 200218012 shall be subject to the following conditions for a period of five (5) years:

1) Carey shall have no further disciplinary action from any school district in the Commonwealth of Kentucky.

"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 Carey fails to satisfy this condition, Certificate Number 200218012 shall be administratively suspended pending Board review and disposition.

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

**Vote:** *Unanimous*

2254396 Randy Miller

Accept Agreed Order stating upon acceptance of this agreement by the Board, Miller shall not seek or accept any position of employment in Kentucky that requires the use of Certificate Number 199602096. Upon the natural expiration of Certificate Number 199602096, Miller shall neither apply for, nor be issued, a teaching, administrative or emergency certificate in the Commonwealth of Kentucky at any time in the future. If Miller violates this agreement, Certificate Number 199602096 shall be automatically permanently revoked, and/or any application for certification shall be denied.

**Vote:** *Unanimous*

2355023 Alan Ferguson

Accept Agreed Order stating:

- a. Ferguson is hereby reprimanded for exercising poor professional judgement. The Board reminds Ferguson that s/he has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students. The Board will not tolerate any further incidents of misconduct from Ferguson.
- b. Upon acceptance of this agreement by the Board, Certificate Number 199802507 shall be suspended from July 1st, 2024 to July 31st, 2024. Ferguson shall not be actively employed in certified employment during the suspension period. Pursuant to KRS 161.020(1)(a): No person shall be eligible to hold the position of superintendent, principal, teacher, supervisor, director of pupil personnel, or other public-school position for which certificates may be issued, or receive salary for services rendered in the position, unless he or she holds a certificate of legal qualifications for the position, issued by the Education Professional Standards Board. Ferguson acknowledges it is her/his responsibility to consult with her/his employer to determine any consequences to salary or employment benefits as a result of this Agreed Order.
- c. Prior to January 31st, 2024, Ferguson shall submit written proof to the Board that s/he has completed the following trainings:
  - 1) Any training under the heading of “Educator Ethics” on the attached pre-approved Board training list (Attachment A).
  - 2) Any training under the heading of “Classroom Management” on the attached pre-approved Board training list (Attachment A).

Any cost for said trainings shall be paid for by Ferguson. Failure to submit written proof of completion on or before reissuance will result in Certificate Number 199802507 being administratively suspended until such time as Ferguson provides the written proof.

- d. On or before January 31st, 2024, Ferguson shall undergo a comprehensive anger management assessment by a Board-approved, licensed counselor and submit written proof to the Board. Any expense required for said

assessment and follow-up shall be paid for by Ferguson. If Ferguson fails to satisfy this condition, Certificate Number 199802507 shall be administratively suspended. If Ferguson's anger management assessment recommends any ongoing treatment, Ferguson shall submit bi-annual written progress reports from a consistent licensed counselor, each 6 months of his probation, certifying that he is compliant with all treatment recommendations, until such time as the counselor releases him from treatment. If Ferguson fails to satisfy this condition, Certificate Number 199802507 shall be administratively suspended until such condition is satisfied.

- e. Upon acceptance of this agreement by the Board, Certificate Number 199802507 shall be subject to the following conditions for a period of two (2) years:
  - 1) During the probationary period, Ferguson shall not receive any disciplinary action from any school district in the Commonwealth of Kentucky.

“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.

Failure to uphold any of the above conditions will result in Certificate Number 199802507 being administratively suspended pending further Board review and disposition.

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

**Vote:** *Unanimous*

2355065 Mary Stuedle

Accept Agreed Order stating:

- a. Stuedle is hereby reprimanded for exercising poor professional judgement. The Board reminds Stuedle that s/he has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students. The

Board will not tolerate any further incidents of misconduct from Stuedle.

- b. Upon acceptance of this agreement by the Board, Certificate Number 200107411 shall be suspended from June 17th, 2024 to June 21st, 2024. Stuedle shall not work in a certified capacity in the Commonwealth of Kentucky during the suspension period.
- c. Prior to January 31st, 2024, Stuedle shall submit written proof to the Board that s/he has completed the following trainings:
  - 1) Any training under the heading of “Classroom Management” on the attached pre-approved Board training list (Attachment A).

Any cost for said trainings shall be paid for by Stuedle. Failure to submit written proof of completion on or before reissuance will result in Certificate Number 200107411 being administratively suspended until such time as Stuedle provides the written proof.

- d. Stuedle has already submitted written proof of completed training on the topics of “Safe Crisis Management (Non-Physical)” that is satisfactory to the Board.
- e. Stuedle is aware that should s/he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

20101431 Sanford Holbrook

Accept Agreed Order stating Respondent’s Professional Certificate For Instructional Leadership--School Superintendent is hereby suspended for a period of six (6) months beginning June 1, 2024. Holbrook agrees not to perform in a superintendent position during the suspension period.

Holbrook has completed Professionalism Training and provided written proof to the Board.

Prior to reinstatement, Holbrook shall provide written proof to the Board that he has completed a professional development course on Educator Ethics. Holbrook shall pay any expense incurred. If Holbrook fails to satisfy this condition, Certificate Number 199901843 shall not be reinstated until such condition is satisfied.

Prior to reinstatement, Holbrook shall provide written proof to the Board that he has completed a professional development course on State School Law. Holbrook shall pay any expense incurred. If Holbrook fails to satisfy this condition, Certificate Number 199901843 shall not be reinstated until such condition is satisfied.

Upon acceptance of this agreement by the Board, Certificate Number 199901843, shall be subject to the following conditions for a period of ten (10) years:

1. Holbrook shall not receive any disciplinary action from any school district in which he is employed. If Holbrook fails to satisfy this condition, Certificate Number 199901843 shall be automatically suspended pending Board review and disposition.

“Disciplinary action” shall include resignation under allegations of misconduct, termination, suspension, or 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.

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

**Vote:** *Unanimous*

2254824 Bridgett Duke

Accept Agreed Order stating by June 1, 2024, Duke shall provide written proof to the Board that he has completed a training under the heading of “Harassment” on the attached

pre-approved Board training list (Attachment A). Duke shall pay any expense incurred. If Duke fails to satisfy this condition, Certificate Number 201152592 shall be administratively suspended until such condition is satisfied.

By June 1, 2024, Duke shall provide written proof to the Board that he has completed a training under the heading of “Educator Ethics” on the attached pre-approved Board training list (Attachment A). Duke shall pay any expense incurred. If Duke fails to satisfy this condition, Certificate Number 201152592 shall be administratively suspended until such condition is satisfied.

Finally, Certificate Number 201152592 shall be subject to the following condition for a period of five (5) years:

1. Duke shall not receive any disciplinary action from any school district in which she is employed. If Duke fails to satisfy this condition, Certificate Number 201152592 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.

Duke 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*

2354987 Margaret Brown

Accept Agreed Order stating Brown voluntarily, knowingly, and intelligently surrenders Certificate Number 201240416, and agrees to not apply for, nor be issued, a teaching, administrative, or emergency certificate in the Commonwealth of Kentucky at any time in the future. Brown 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.

**Vote:** *Unanimous*

2355155 Wendy Carlton

Accept Agreed Order stating upon acceptance of this agreement by the Board, Certificate Number 200206051 is suspended from December 19, 2022 to December 23, 2022. Pursuant to KRS 161.020(1)(a): No person shall be eligible to hold the position of superintendent, principal, teacher, supervisor, director of pupil personnel, or other public-school position for which certificates may be issued, or receive salary for services rendered in the position, unless he or she holds a certificate of legal qualifications for the position, issued by the Education Professional Standards Board. Carlton acknowledges it is her responsibility to consult with her employer to determine any consequences to salary or employment benefits as a result of this Agreed Order.

Carlton has provided proof that she has completed six (6) hours of Equity: Multicultural Awareness Leading to Just Schools.

Further, Certificate Number 200206051 shall be subject to the following probationary condition for a period of two (2) years:

1. Carlton shall not receive any disciplinary action from any school district she is employed. If Carlton fails to satisfy this condition, Certificate Number 200206051 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.

Carlton 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*

2355345 Kayce Gibbs

Accept Agreed Order stating upon acceptance of this agreement by the Board, Gibbs shall be issued an emergency substitute teaching certification she applied for on August 3, 2023, subject to the following conditions:

1. Within sixty (60) days of the issuance of the emergency substitute certificate, Gibbs shall submit written proof to the Board that she has completed a training under the heading of “Educator Ethics” on the attached pre-approved Board training list (Attachment A) . Gibbs shall pay any expense incurred. If Gibbs fails to satisfy this condition, any and all certificates issued to her shall be administratively suspended until such condition is satisfied.
2. Within sixty (60) days of the issuance of the emergency substitute certificate, Gibbs shall submit written proof to the Board that she has completed a training under the heading of “Classroom Management” on the attached pre-approved Board training list (Attachment A) . Gibbs shall pay any expense incurred. If Gibbs fails to satisfy this condition, any and all certificates issued to her shall be administratively suspended until such condition is satisfied.

Finally, upon issuance, any and all certificates issued to Gibbs shall be subject to the following probationary conditions for a period of five (5) years:

1. Gibbs shall not receive any disciplinary action from any school district in which she is employed. If Dixon 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.

**Vote:** *Unanimous* (Ms. Lingo recused)

2355072 Corbin Marshall

Accept Agreed Order stating Marshall voluntarily, knowingly, and intelligently surrenders Certificate Number 201154138, and agrees to not apply for, nor be issued, a teaching, administrative, or emergency certificate in the Commonwealth of Kentucky at any time in the future.

**Vote:** *Unanimous*



Accept Agreed Order stating Kennedy is currently retired with no plans to return to the education profession. However, Certificate Number 200156904 shall be suspended for thirty (30) days from January 1, 2024 to January 30, 2024. During the suspension period, Kennedy shall not apply for nor accept any certified positions in the Commonwealth of Kentucky and Kennedy shall not perform any duties in a certified position in the Commonwealth of Kentucky.

Prior to reinstatement, Kennedy shall submit written proof to the Board that she has completed the following trainings or courses on the attached pre-approved Board training list (Attachment A):

1. Three (3) hours of courses under the “Educator Ethics” heading;
2. “Creating a Safe and Equitable Learning Environment”;
3. “Diversity, Equity, and Cultural Competence in Classroom Instruction”; and
4. “Cultural Sensitivity Training for Kentucky School Certified Personnel.”

Any cost for said trainings shall be paid for by Kennedy. If Kennedy fails to satisfy any portion of this condition, Certificate Number 200156904 shall not be reinstated until such condition is satisfied.

Upon reinstatement, Certificate Number 200156904, and any future endorsements or new areas of certification, shall be subject to the following probationary condition for three (3) years:

1. During the probationary period, Kennedy shall not receive any disciplinary action from any school district in the Commonwealth of Kentucky. “Disciplinary action” is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. Failure to uphold this condition will result in Certificate 200156904 being administratively suspended pending further Board review and disposition.

Kennedy 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*

2355292 Brandon Poole

Accept Agreed Order stating upon acceptance of this Agreement by the Board, Certificate Number 201115963 shall be revoked for four (4) years beginning on September 1, 2022. Poole shall neither apply for, nor be issued, a teaching, administrative, or emergency certificate in the Commonwealth of Kentucky during the revocation period.

In addition to any educational and assessment requirements necessary for certification at the time, Poole shall comply with the following conditions prior to reissuance of Certificate Number 201115963:

1. Prior to reissuance, Poole shall submit written proof to the Board that he has completed the following trainings or courses on the attached pre-approved Board training list (Attachment A):
  - a. "Educator Ethics & the Law";
  - b. "Understanding Educator Ethics";
  - c. "Setting and Maintaining Ethical Boundaries";
  - and
  - d. "Recognizing Early-onset Mental Health Disorders."

Any cost for said trainings shall be paid for by Poole. If Poole fails to satisfy any portion of this condition, Certificate Number 201115963 shall not be reissued until such condition is satisfied.

2. Poole shall provide written proof to the Board from a Kentucky licensed/certified psychologist or psychiatrist, that he has complied with a comprehensive evaluation and is fit to return to the classroom, presents as capable of performing his duties as a teacher, is not a danger to himself or others, and is compliant with all treatment recommendations. The psychological comprehensive evaluation shall be dated within sixty (60) days of Poole's application for certification. Poole shall pay an expense incurred. If Poole fails to satisfy this condition

prior to applying for reissuance, any such applications will be automatically denied.

3. Poole shall submit written proof to the Board from a licensed/certified physician, as approved by the Board, that he has complied with a comprehensive health evaluation and is physically and mentally 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. The health evaluation shall be dated within sixty (60) days of Poole's application for certification. Poole shall pay any expense incurred. If Poole fails to satisfy this condition prior to applying for reissuance, any such applications will be automatically denied.

Upon reissuance, Certificate Number 201115963 shall be subject to the following permanent probationary conditions:

1. Any time Poole is employed in a certified position, Poole shall provide written proof to the Board from a licensed/certified physician, as approved by the Board, that he has complied with a comprehensive health evaluation and is physically and mentally 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 on or before August 1st of the school year in which he is employed until the licensed/certified physician releases Poole from treatment. Poole shall pay any expense incurred. If Poole fails to satisfy this condition, Certificate Number 201115963 shall be administratively suspended pending Board review and disposition.
2. Any time Poole is employed in a certified position, Poole shall provide written proof to the Board from a licensed/certified psychologist/psychiatrist, as approved by the Board, that he has complied with a comprehensive mental health evaluation and is mentally 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 on or before August 1st of the school year in which he is employed until the licensed/certified psychologist/psychiatrist releases Poole from treatment. Poole shall pay any expense incurred. If Poole fails to

satisfy this condition, Certificate Number 201115963 shall be administratively suspended pending Board review and disposition.

3. During the probationary period, Poole shall not receive any disciplinary action from any school district in the Commonwealth of Kentucky. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. Failure to uphold any of the above conditions will result in Certificate 201115963 being administratively suspended pending further Board review and disposition.

Poole 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*

2355150 Cassandra Owens

Accept Agreed Order stating upon acceptance of this agreement by the Board, Owens is reprimanded for asking for and taking prescription medication from a colleague. The Board reminds Owens that, as an educator, she must exemplify behaviors which maintain the dignity and integrity of the profession. The Board will not tolerate any further incidents of misconduct by Owens.

Prior to February 1, 2024, Owens shall provide written proof to the Board that she has taken a training under the heading of "Educator Ethics" on the attached pre-approved Board training list (Attachment A). Owens shall pay any expense incurred. If Owens fails to satisfy this condition, Certificate Number 200300941 shall be administratively suspended until such condition is satisfied.

Further, Certificate Number 200300941 shall be subject to the following probationary condition for a period of two (2) years:

1. Owens shall not receive any disciplinary action from any school district she is employed. If Owens fails to satisfy this condition, Certificate Number 200300941 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.

Owens 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*

2355198 Elizabeth Linder

Accept Agreed Order stating upon acceptance of this agreement by the Board, Certificate Number 199801651 is retroactively suspended from April 17, 2023 through April 21, 2023, a period of five (5) days. Linder shall not be actively employed in a certified position during the suspension period. Pursuant to KRS 161.020(1)(a): No person shall be eligible to hold the position of superintendent, principal, teacher, supervisor, director of pupil personnel, or other public-school position for which certificates may be issued, or receive salary for services rendered in the position, unless he or she holds a certificate of legal qualifications for the position, issued by the Education Professional Standards Board. Linder acknowledges it is her responsibility to consult with her employer to determine any consequences to salary or employment benefits as a result of this Agreed Order.

Linder is currently retired. Prior to returning to certified employment, Linder shall notify the Board in writing of her intent to return to certified employment, at least ten (10) days prior to returning to a certified position. If Linder fails to satisfy this condition, Certificate Number 199801651 shall be administratively suspended for ten (10) days.

Within sixty (60) days of returning to certified employment, Linder shall provide written proof to the Board that she has completed a training under the heading of “Diversity/Cultural Sensitivity” on the attached pre-approved Board training list (Attachment A). Linder shall pay any expense incurred. If Linder fails to satisfy this

condition, Certificate Number 199801651 shall be administratively suspended until such condition is satisfied.

Further, upon returning to certified employment, Certificate Number 199801651 shall be subject to the following probationary condition for a period of two (2) years:

1. Linder shall not receive any disciplinary action from any school district she is employed. If Linder fails to satisfy this condition, Certificate Number 199801651 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.

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

**Vote:** *Unanimous*

2355294 Patrick Butcher

Accept Agreed Order stating upon acceptance of this agreement by the Board, Certificate Number 200303015 is retroactively suspended from October 25, 2021 through December 17, 2021, a period of fifty-four (54) days. Butcher shall not be actively employed in a certified position during the suspension period

By May 1, 2024, Butcher shall provide written proof to the Board that he has completed a training under the heading of “Educator Ethics” on the attached pre-approved Board training list (Attachment A). Butcher shall pay any expense incurred. If Butcher fails to satisfy this condition, Certificate Number 200303015 shall be administratively suspended until such condition is satisfied.

Further, Certificate Number 200303015 shall be subject to the following probationary condition for a period of two (2) years:

1. Butcher shall not receive any disciplinary action from any school district he is employed. If Butcher fails to satisfy this condition, Certificate Number 200303015 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.

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

**Vote:** *Unanimous*

2355141 Aaron Bunch

Accept Agreed Order stating Bunch voluntarily, knowingly, and intelligently surrenders Certificate Number 201211132, and agrees to not apply for, nor be issued, a teaching, administrative, or emergency certificate in the Commonwealth of Kentucky at any time in the future. Bunch 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*

2355212 Laura Rogers

Accept Agreed Order stating upon acceptance of this agreement by the Board, Certificate Number 201156451 is retroactively suspended from July 1, 2023, to July 30, 2023, a period of thirty (30) days. Pursuant to KRS 161.020(1)(a): No person shall be eligible to hold the position of superintendent, principal, teacher, supervisor, director of pupil personnel, or other public-school position for which certificates may be issued, or receive salary for services rendered in the position, unless he or she holds a certificate of legal qualifications for the position, issued by the Education Professional Standards Board. Rogers acknowledges it is her responsibility to consult with her employer to determine any consequences to salary or employment benefits as a result of this Agreed Order.

Prior to April 1, 2024, Rogers shall provide written proof to the Board that she has completed a three (3) hour training on the topic of “Student Supervision” as approved by the Board. In order for the training to fulfill this requirement, Rogers shall petition the Board for pre-approval of the training by following the process outlined on page 7 of the attached list under the heading “One Time Request for Training Approval” (Attachment A). Rogers shall pay any expense incurred. If Rogers fails to satisfy this condition, Certificate Number 201156451 shall be administratively suspended until such condition is satisfied.

Finally, Certificate Number 201156451 shall be subject to the following probationary condition for a period of two (2) years:

1. Rogers shall receive no disciplinary action from any school district in which she is employed. If Rogers fails to satisfy this condition, Certificate Number 201156451 shall be administratively suspended pending Board review and disposition.

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

Rogers 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*

2355228 Timothy Strode

Accept Agreed Order stating upon acceptance of this agreement by the Board, Certificate Number 201222861 is suspended for thirty (30) days. Strode shall not be employed in a certified position during the suspension period.

Strode is currently not working in the education profession and has no immediate plans to return to the profession. If Strode does return to a certified position in the future, he shall fulfill the following conditions:



1. Strobe shall notify the Board in writing of his intent to return to certified employment, at least ten (10) days prior to returning to a certified position. If Strobe fails to satisfy this condition, Certificate Number 201222861 shall be administratively suspended for ten (10) days.
2. Within sixty (60) days of returning to certified employment, Strobe shall provide written proof to the Board that he has completed a training under the heading of “Educator Ethics” on the attached pre-approved Board training list (Attachment A). Strobe shall pay any expense incurred. If Strobe fails to satisfy this condition, Certificate Number 201222861 shall be administratively suspended until such condition is satisfied.

Finally, upon returning to certified employment, Certificate Number 201222861 shall be subject to the following condition for a period of two (2) years:

1. Strobe shall not receive any disciplinary action from any school district in which he is employed. If Strobe fails to satisfy this condition, Certificate Number 201151762 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.

Strobe 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*

2203243 Holly Lawson

Accept Agreed Order stating:

- a. Jenkins Lawson is reprimanded for exercising poor professional judgment, and for failing to uphold the dignity and integrity of the teaching profession. An educator has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students. When an educator takes a firearm into a school building, even unintentionally, unsafe conditions can result. The Board further reminds Jenkins Lawson that,

as an educator, she must maintain and be cognizant of her duty to maintain a safe environment under the Professional Code of Ethics. The Board will not tolerate any further incidents of misconduct from Jenkins Lawson.

- b. Upon acceptance of this agreement by the Board, Certificate Number 81002 shall be suspended from July 16th, 2022 to October 16th, 2023. Jenkins Lawson shall not be actively employed in a certified employment during the suspension period. Pursuant to KRS 161.020(1)(a): No person shall be eligible to hold the position of superintendent, principal, teacher, supervisor, director of pupil personnel, or other public-school position for which certificates may be issued, or receive salary for services rendered in the position, unless he or she holds a certificate of legal qualifications for the position, issued by the Education Professional Standards Board. Jenkins Lawson acknowledges it is his/her responsibility to consult with his/her employer to determine any consequences to salary or employment benefits as a result of this Agreed Order.
- c. On or before March 1st, 2024, Jenkins Lawson shall submit written proof to the Board that s/he has completed the following trainings:
  - 1) Any training under the heading of “Educator Ethics” on the attached pre-approved Board training list (Attachment A).
  - 2) Three (3) hours on School Safety, as approved by the Board. In order for the training to fulfill this requirement, Jenkins Lawson shall petition the Board for pre-approval of the training by following the process outlined on page 6 of the attached list under the heading “One Time Request for Training Approval” (Attachment A).
  - 3) The specific training “Micro-Credential: ‘Cooperating Teachers: Listening and Nonverbal Communication’” on the attached pre-approved Board training list (Attachment A).

Any cost for said training shall be paid for by Jenkins Lawson. Failure to submit written proof of completion on or before the deadline will result in Certificate Number

81002 being administratively suspended until such time as the Board receives the written proof of completion.

- d. Prior to March 1st, 2024, Jenkins Lawson shall provide written proof to the Board that she has completed a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and is compliant with any treatment recommendations. The assessment shall occur within the thirty (30) days prior to Respondent's submission of the assessment to the Board. Jenkins Lawson shall pay any expense incurred. If Jenkins Lawson fails to satisfy any portion of this condition, Certificate Number 81002 shall be administratively suspended until such condition is satisfied.
- e. Certificate Number 81002 shall be subject to the following conditions for a period of five (5) years from October 16th, 2023:
  - 1) If the comprehensive alcohol/substance abuse assessment recommends ongoing treatment, Jenkins Lawson shall provide biannual written progress reports from a consistent counselor, before or on each March 1st and September 1st, from her counselor, until she is released from treatment. Jenkins Lawson shall pay any expense incurred. If Jenkins Lawson fails to satisfy this condition, Certificate Number 81002 shall be administratively suspended until such condition is satisfied.
  - 2) Jenkins Lawson shall have no criminal convictions involving the use and/or possession of alcohol or any controlled substance. If Jenkins Lawson is convicted of, or enters a guilty or no contest plea, to any criminal charge involving the use and/or possession of alcohol or any controlled substance, she shall submit this information to the Board, in writing, within thirty (30) days. If Jenkins Lawson fails to satisfy this condition, Certificate Number 81002 shall be administratively suspended pending Board review and disposition.

- 3) Jenkins Lawson shall not receive any disciplinary action from any school district in the Commonwealth of Kentucky.

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

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

- f. Jenkins Lawson is aware that should s/he violate KRS 161.120 at any time, the Board shall initiate new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

2254534 Jere Minter

Accept Agreed Order stating:

- a. Upon receipt by the Board of Minter’s written intent to return to a position which requires an active teaching certificate, Certificate Number 201138751 shall be suspended for a period of ten (10) days. Pursuant to KRS 161.020(1)(a): No person shall be eligible to hold the position of superintendent, principal, teacher, supervisor, director of pupil personnel, or other public-school position for which certificates may be issued, or receive salary for services rendered in the position, unless he or she holds a certificate of legal qualifications for the position, issued by the Education Professional Standards Board. Minter acknowledges it is his/her responsibility to consult with his/her employer to determine any consequences to salary or employment benefits as a result of this Agreed Order.
- b. Minter is retired and is not currently employed in a certified position, but currently holds a valid certificate. Minter shall notify the Board in writing of his intent to return to certified employment, at least thirty (30) days prior to returning to a certified position. The notification shall include the district, school, and start date of Minter’s employment. If Minter fails to satisfy this

condition, Certificate Number 201137851 shall be suspended for an additional period of ten (10) days.

- c. Minter is on notice to exercise proper professional judgement in future interactions with students. The Board reminds Minter that he has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students. The Board will not tolerate future incidents of misconduct from Minter.
- d. Within thirty (30) days of accepting a certified position or working in a certified capacity, Minter shall submit written proof to the Board that he has completed the following trainings:
  - 1) Any training under the heading of “Educator Ethics” on the attached pre-approved Board training list (Attachment A).
  - 2) Any training under the heading of “Appropriate Boundaries” on the attached pre-approved Board training list (Attachment A).
  - 3) Any training under the heading of “Diversity / Cultural Sensitivity” on the attached pre-approved Board training list (Attachment A).

Any cost for said trainings shall be paid for by Minter. Failure to submit written proof of completion by the deadline will result in Certificate Number 201137851 being administratively suspended until such time as the Board receives the written proof.

- e. Upon receipt of the notification that Minter is engaging in certified employment, Certificate Number 201137851 shall be subject to the following conditions for a period of two (2) years:
  - 1) Minter shall not receive any disciplinary action from any school district in the Commonwealth of Kentucky.

“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.

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

- f. Minter is aware that should he violate KRS 161.120, either during or following this probationary period, the Board shall initiate new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

2355290 Steven Latzo

Accept Agreed Order stating:

- a. Upon acceptance of this agreement by the Board, Certificate Number 201192924 shall be suspended from May 20th, 2023 to August 18th, 2023. Latzo shall not be actively employed in certified employment during the suspension period. Pursuant to KRS 161.020(1)(a): No person shall be eligible to hold the position of superintendent, principal, teacher, supervisor, director of pupil personnel, or other public-school position for which certificates may be issued, or receive salary for services rendered in the position, unless he or she holds a certificate of legal qualifications for the position, issued by the Education Professional Standards Board. Latzo acknowledges it is her/his responsibility to consult with her/his employer to determine any consequences to salary or employment benefits as a result of this Agreed Order.
- b. Latzo is reprimanded for his conduct and statements that fail to uphold the dignity and integrity of the education profession. In particular, if Latzo is uncertain whether a certain topic is appropriate to discuss with students or a particular piece of media is appropriate to show to students, he should consult with his supervisor before engaging in the discussion or showing the media. In addition, Latzo is hereby reprimanded for using unprofessional and disrespectful communication when dealing with students. The Board warns Latzo to exercise better discretion and establish better professional boundaries in the future and will tolerate no further misconduct by Latzo.

- c. On or before June 30th, 2024, Latzo shall submit written proof to the Board that s/he has completed the following Board-approved professional development trainings or courses:
- 1) Any training under the heading of “Educator Ethics” on the attached pre-approved Board training list (Attachment A).
  - 2) Any training under the heading of “Appropriate Boundaries” on the attached pre-approved Board training list (Attachment A).
  - 3) Any training under the heading of “Classroom Management” on the attached pre-approved Board training list (Attachment A).
  - 4) Six (6) hours or more of training on communicating effectively, as approved by the Board. In order for the training to fulfill this requirement, Latzo shall petition the Board for pre-approval of the training by following the process outlined on final page of the attached list under the heading “One Time Request for Training Approval” (Attachment A).

Any cost for said trainings shall be paid for by Latzo. Failure to submit written proof of completion on or before the deadline will result in Certificate Number 201192924 being administratively suspended until such time as the Board receives the written proof of completion.

- d. Beginning on May 20th, 2023, Certificate Number 201192924 shall be subject to the following conditions for a period of three (3) years:
- 1) Latzo shall have no further disciplinary action from any school district in the Commonwealth of Kentucky.

“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 Latzo fails to satisfy this condition, Certificate Number 201192924 shall be administratively suspended pending Board review and disposition.

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

**Vote:** *Unanimous*

2204341 Jerry Hancock

Reject Agreed Order stating the Board reprimands Hancock for his lack of professional judgment in interactions with a student. A full-frontal hug with a kiss on the neck (whether attempted or completed) is never an appropriate way to interact with a student. As an education professional, it is Hancock's responsibility to set and maintain appropriate boundaries with all students.

Upon acceptance of this agreement by the Board, Certificate Number 29012 shall be suspended for a period of two (2) years beginning on July 1st, 2022 and ending on June 30th, 2024. During the period of suspension, Hancock shall not work in a certified capacity.

**Vote:** *Unanimous*

2204357 Morgan Sommers

Accept Agreed Order stating:

- a. Upon acceptance of this agreement by the Board, Certificate Number 201201543 shall be suspended from June 20th, 2024 to June 25th, 2024. During the period of suspension, Sommers shall not work in a certified capacity.
- b. The Board reprimands Sommers for Neglect of Duty and Failure to Take Reasonable Measures to Protect the Health, Safety, and Emotional Well-Being of Students. The Board expects Sommers to exercise better discretion in the future and will tolerate no further misconduct by Sommers.
- c. On or before March 15th, 2024, Sommers shall submit written proof to the Board that s/he has completed the following trainings:



- 1) Any training under the heading of “Educator Ethics” on the attached pre-approved Board training list (Attachment A).
- 2) Any six (6) hours of training under the heading of “Classroom Management” on the attached pre-approved Board training list (Attachment A).

Any cost for said trainings shall be paid for by Sommers. Failure to submit written proof of completion on or before the deadline will result in Certificate Number 201201543 being administratively suspended until such time as the Board receives the written proof of completion.

- d. Sommers is aware that should s/he violate KRS 161.120 at any time, the Board shall initiate new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

**Recommended Order**

**Case Name**

CF 211813 Airius Phillips

**Decision**

Modify the hearing officer’s Findings of Fact and Conclusions of Law in accordance with Respondent’s exceptions. Accept Recommended Order that the Respondent, the KENTUCKY EDUCATION PROFESSIONAL STANDARDS BOARD, be granted a DEFAULT JUDGMENT herein against the Petitioner. AIRIUS PHILLIPS, dismissing his appeal and granting all relief sought in the Respondent’s Notice of Administrative Hearing and Statement of Charges, filed herein April 20, 2023, specifically including the DENIAL of the Petitioner’s application for an EMERGENCY SUBSTITUTE CERTIFICATE. The Hearing Officer also finds that a Judgment in the Respondent’s favor is fully supported by the evidence introduced at the August 10, 2023 Hearing, separate and apart from the Petitioner’s Default.

**Vote:** *Unanimous*

2254293 David Haggerty

Accept the hearing officer’s Findings of Fact, Conclusions of Law and Recommended Order that that the Petitioner, the KENTUCKY EDUCATION PROFESSIONAL STANDARDS BOARD, be granted a Default Judgment herein against the Respondent. DAVID HAGGERTY, granting all relief sought in its Notice of Administrative

Hearing and Statement of Charges, filed herein April 20, 2023, and specifically including the following:

Certificate number 201188229 shall be suspended for a period of two (2) years. Respondent shall not apply for, nor be issued, a teaching, emergency, or administrative certificate in the Commonwealth of Kentucky at any time in the future. Respondent shall immediately surrender the original and all copies of his certificates, by personal delivery or first class mail, to the Education Professional Standards Board, 300 Sower Blvd, 5th Floor, Frankfort, Kentucky 40601.

**Vote:** *Unanimous*

**Motion to Reconsider**

**Case Number**

17101409 Janet Allen

**Decision**

Defer consideration of the motion.

**Vote:** *Unanimous*

*Motion made by Dr. Corinne Murphy seconded by Ms. Amber Snell, to adjourn the meeting.*

**Vote:** *Unanimous*

Meeting adjourned at 4:45 p.m.

# **KENTUCKY DEPARTMENT OF EDUCATION**

## **STAFF NOTE**

### **Consent Item:**

Option 9 Application, Bath County Schools and University of the Cumberlands

### **Staff Recommendation:**

The Education Professional Standards Board (EPSB) should approve the application.

### **Rationale:**

Bath County Schools and University of the Cumberlands have submitted an Option 9 application that meets the requirements of KRS 161.048 and 16 KAR 9:110. University of the Cumberlands holds accreditation from the Council for the Accreditation of Educator Preparation and their educator preparation programs have been approved by the EPSB.

### **Applicable Statute or Regulation:**

KRS 161.028, KRS 161.048, 16 KAR 9:110

### **History/Background:**

***Existing Policy:*** KRS 161.048(10) establishes the Option 9 alternative route to certification. This route provides for the expedited certification of a person to teach at any grade level through a cooperative program between a college or university and a school district. The expedited certification program will result in a bachelor's degree and initial certification within three school years. The candidate is not certified while completing the route but shall complete a residency/paraprofessional component and receive coaching and mentoring from experienced teachers. 16 KAR 9:110 establishes the standards and procedures for Option 9 and contains sections covering providers, residency, field experience, student teaching, application review, continuance of program approval, revocation for cause, reconsideration, data reports, and professional certificates.

***Summary:*** Bath County Schools has partnered with the University of the Cumberlands to develop a proposed Option 9 program. In accordance with Section 5 of the regulation, staff has reviewed the application and found that it meets the requirements of KRS 161.048 and 16 KAR 9:110. A copy of the application is included in the Board Meeting Materials tab for EPSB review. As part of the proposal, each party has agreed to take on the following:

Bath County Schools will:

- Employ the participant in a residency or paraprofessional program within the school district for the duration of the program as long as the participant is making successful progress in the Option 9 program.
- Utilize experienced teachers employed by the district to provide coaching and mentoring to the participant.
- Ensure at least one mentor is certified in the area in which certification is being sought.

- Require mentor teachers to submit evaluations to the university for each candidate each semester.
- Ensure the availability of funding for each participant for the duration of the candidate's participation in the program as long as the participant is making successful progress in the Option 9 program.
- Ensure candidates have a variety of experiences.
- Ensure at least one-year of employment provides hands-on experience in the area in which certification is being sought.
- Continue this partnership until the district's employed participants for Option 9 certification complete the program or are no longer employed by the district.
- No longer accept new candidates to the program if the district decides to end the partnership.

University of the Cumberlands will:

- Ensure that the completion of coursework and field experience will result in a bachelor's degree and initial certification.
- Ensure that courses are sequenced and offered to allow for a three-year program completion.
- Ensure that candidates document 200 hours of field experience and the eight categories of field experiences through electronic records.
- Ensure that all educator program admissions regulations are followed and documented.
- Accept work experience in place of student teaching; and
- Assign a university supervisor to work with the participant during the third year of the program.

In accordance with 16 KAR 9:110, Section 5, initial program approval will be for a period of three years. After that time, the providers may apply for continuing program approval and provide evidence of program quality.

***Budget Impact:*** There will be costs associated with the oversight of this route.

**Contact Person:**

Dr. Melissa Diebel, Academic Program Manager  
 Division of Educator Preparation and Certification  
 Office of Educator Licensure and Effectiveness  
 (502) 564-4606  
 Email: [melissa.diebel@education.ky.gov](mailto:melissa.diebel@education.ky.gov)

# **KENTUCKY DEPARTMENT OF EDUCATION**

## **STAFF NOTE**

### **Consent Item:**

Option 9 Application, Spencer County Schools and Midway University

### **Staff Recommendation:**

The Education Professional Standards Board (EPSB) should approve the application.

### **Rationale:**

Spencer County Schools and Midway University have submitted an Option 9 application that meets the requirements of KRS 161.048 and 16 KAR 9:110. Midway University holds accreditation from the EPSB and their educator preparation programs have been approved by the EPSB.

### **Applicable Statute or Regulation:**

KRS 161.028, KRS 161.048, 16 KAR 9:110

### **History/Background:**

***Existing Policy:*** KRS 161.048(10) establishes the Option 9 alternative route to certification. This route provides for the expedited certification of a person to teach at any grade level through a cooperative program between a college or university and a school district. The expedited certification program will result in a bachelor's degree and initial certification within three school years. The candidate is not certified while completing the route but shall complete a residency/paraprofessional component and receive coaching and mentoring from experienced teachers. 16 KAR 9:110 establishes the standards and procedures for Option 9 and contains sections covering providers, residency, field experience, student teaching, application review, continuance of program approval, revocation for cause, reconsideration, data reports, and professional certificates.

***Summary:*** Spencer County Schools has partnered with Midway University to develop a proposed Option 9 program. This program will be exclusively available to classified employees who work in the Spencer County Schools. Candidates will complete the EPSB approved learning and behavior disorders (LBD) certification program from Midway University. Candidates who successfully complete the program and pass the licensure exams will earn a bachelor's degree and certification to teach students in P-12 LBD. In accordance with Section 5 of the regulation, staff has reviewed the application and found that it meets the requirements of KRS 161.048 and 16 KAR 9:110. A copy of the application is included in the Board Meeting Materials tab for EPSB review. As part of the proposal, each party has agreed to take on the following:

Spencer County Schools will:

- Maintain electronic records of field experiences that confirm that all residents have fulfilled the field experience requirements and share these records with the Midway University Department of Teacher Education.
- Ensure candidates sign the professional code of ethics and practice in an ethical manner according to the code of ethics.

- Ensure candidates receive training on the professional code of ethics through professional development provided by Spencer County Schools.
- Employ candidates admitted to the program either part-time or fulltime for three years in a classified position.
- Ensure that during the third year, the candidate is employed full-time in the area of certification sought.
- Ensure the resident will not have responsibility for the supervision or instruction of students without the direct supervision of a certified educator.
- Assign a cooperative teacher during the year-long residency for observing and evaluating student teachers including a minimum of four observations.
- Maintain electronic records that ensure and confirm that all third-year residents meet the student teaching requirements and will share them with the Midway University Department of Teacher Education.
- Will not accept new candidates if they end the program but will continue the partnership until the candidates currently in the program complete the program or are no longer employed by Spencer County Schools.

Midway University will:

- Offer all 120 credit hours of coursework online or in a hybrid evening/online format. Some synchronous education courses will be offered in the evenings during the regular academic year with the remaining courses offered online. Asynchronous general education courses will be offered not only during the regular academic year, but also for three summer terms.
- Require candidates to take classes year-round to complete the 120 hours within a three-year time period.
- Require candidates to complete the same 200 field experience hours that traditional candidates complete as per 16 KAR 5:040 within the first two years of residency.
- Ensure candidates receive training on the professional code of ethics through coursework provided by Midway University.
- Ensure a university supervisor follows the EPSB approved protocols for observing and evaluating student teachers including a minimum of four observations.
- Ensure this program will not negatively impact the accreditation of the Midway University Department of Teacher Education.

In accordance with 16 KAR 9:110, Section 5, initial program approval will be for a period of three years. After that time, the providers may apply for continuing program approval and provide evidence of program quality.

***Budget Impact:*** There will be costs associated with the oversight of this route.

**Contact Person:**

Dr. Melissa Diebel, Academic Program Manager  
 Division of Educator Preparation and Certification  
 Office of Educator Licensure and Effectiveness  
 (502) 564-4606  
 Email: [melissa.diebel@education.ky.gov](mailto:melissa.diebel@education.ky.gov)

## **KENTUCKY DEPARTMENT OF EDUCATION**

### **STAFF NOTE**

#### **Consent Item:**

Kentucky State University: Approval of Proficiency Plan

#### **Staff Recommendation:**

The Education Professional Standards Board (EPSB) should approve Kentucky State 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 Kentucky State 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 and approved by the EPSB during its December 2018 meeting.

*Summary:* Kentucky State University is requesting approval for its proficiency evaluation plan for the initial undergraduate certification only programs: Biological Science, Elementary, English, Health, Integrated Music, Interdisciplinary Early Childhood Education, Mathematics, Physical Education, Social Studies. Kentucky State University is also requesting approval for its proficiency evaluation program for the initial graduate certification only program: Learning and Behavior Disorders.

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 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:**

Office of Educator Licensure and Effectiveness staff have reviewed the submitted documentation and finds it meets the requirements for approval.

**Contact Person:**

Kim Arington, Program Consultant  
Division of Educator Preparation and Certification  
Office of Educator Licensure and Effectiveness  
(502) 564-4606  
E-mail: [kimberly.arington@education.ky.gov](mailto:kimberly.arington@education.ky.gov)



## **KENTUCKY DEPARTMENT OF EDUCATION**

### **STAFF NOTE**

#### **Consent Item:**

Northern Kentucky University: Approval of Proficiency Plan

#### **Staff Recommendation:**

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

#### **Rationale:**

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

#### **Action Question:**

Should the EPSB approve the proficiency plan submitted by Northern Kentucky 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 its December 2018 meeting. In June of 2019, Northern Kentucky University received approval for proficiency programs for Initial Undergraduate Certification Only Programs: Art, Elementary, English, Health, Integrated Music, Learning and Behavior Disorders, and Initial Graduate Certification Only Programs: Biological Science, Chemistry, Earth Science, English, French, German, Interdisciplinary Early Childhood Education, Mathematics, Middle School English, Middle School Mathematics, Middle School Science, Middle School Social Studies, Physical Education, Physics, Social Studies, Spanish and Advanced Certification Only Programs: Art, Biological Science, Chemistry, ESL Endorsement, Earth Science, Elementary Math Specialist, English, Environmental Education, French, German, Gifted Education, Health, Instructional Computer Technology, Integrated Music, Interdisciplinary Early Childhood Education, Learning and Behavior Disorders, Mathematics, Middle School English, Middle School Mathematics, Middle School Science, Middle School Social Studies, Moderate to Severe Disabilities, Physical Education, Physics, Reading, Social Studies, Spanish and Other School Professional Certification Only Programs: Director of Pupil Personnel, School Counselor, School Principal, School Superintendent, and Supervisor of Instruction.

**Summary:** Northern Kentucky University is requesting approval for its proficiency evaluation plan for the initial graduate certification only program, Moderate to Severe Disabilities.

The submitted proficiency 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 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:**

Office of Educator Licensure and Effectiveness staff have reviewed the submitted documentation and finds it meets the requirements for approval.

**Contact Person:**

Kim Arington, Program Consultant  
Division of Educator Preparation and Certification  
Office of Educator Licensure and Effectiveness  
(502) 564-4606  
E-mail: [kimberly.arington@education.ky.gov](mailto:kimberly.arington@education.ky.gov)

## **KENTUCKY DEPARTMENT OF EDUCATION**

### **STAFF NOTE**

#### **Consent Item:**

Western Kentucky University: Approval of Proficiency Plan

#### **Staff Recommendation:**

The Education Professional Standards Board (EPSB) should approve Western Kentucky 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 Western Kentucky 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 its December 2018 meeting. In June of 2019, Western Kentucky University received proficiency approval for initial programs: Biological Science, Chemistry, Chinese, English, IECE, LBD, Math, Middle School (English, Math, Science, Social Studies), PE, Physics, Social Studies, Spanish, German, French, ESL Endorsement, Gifted Endorsement, ICT Endorsement, MSD, Reading Endorsement, CTE Principal, Director of Pupil Personnel, Director of Special Education, School Principal, School Superintendent, Supervisor of Instruction (Certification Only).

***Summary:*** Western Kentucky University is requesting approval for its proficiency evaluation plan for the following initial graduate certification only program: School Media Librarian and Instructional Computer Technology Endorsement.

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 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:**

Office of Educator Licensure and Effectiveness staff have reviewed the submitted documentation and finds it meets the requirements for approval.

**Contact Person:**

Kim Arington, Program Consultant  
Division of Educator Preparation and Certification  
Office of Educator Licensure and Effectiveness  
(502) 564-4606  
E-mail: [kimberly.arington@education.ky.gov](mailto:kimberly.arington@education.ky.gov)

## **KENTUCKY DEPARTMENT OF EDUCATION**

### **STAFF NOTE**

#### **Consent Item:**

Graves County Schools Continuing Education Option (CEO) Plan II Proposal

#### **Staff Recommendation:**

The Education Professional Standards Board (EPSB) should approve the Graves County School's CEO Plan II for Rank I or II.

#### **Rationale:**

The CEO Plan II reviewers consisting of representatives from districts, educational cooperatives and education preparation providers (EPPs), and staff from the Office of Educator Licensure and Effectiveness (OELE) reviewed the CEO Plan II proposal in accordance with 16 KAR 8:030 and the CEO Plan II Guidelines approved by the EPSB. The reviewers found that the proposal meets the applicable requirements and recommends that the EPSB approve the CEO Plan II program.

#### **Action Question:**

Should the EPSB approve the Graves County School's CEO Plan II program proposal?

#### **Applicable Statute or Regulation:**

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

#### **History/Background:**

***Existing Policy:*** KRS 161.1211 establishes the classifications of teachers. According to the statute, an educator may obtain Rank II by obtaining a master's degree, acquiring National Board Certification or successfully completing equivalent continuing education. Rank I is obtained by meeting the requirements of Rank II and having an additional thirty hours of approved graduate credit, a master's degree, National Board Certification or equivalent continuing education. KRS 161.095 provides that the EPSB shall develop standards for continuing education including college/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 continuing education requirements for CEO Plan I and Plan II for rank change. CEO Plan II allows districts, groups of districts (such as educational cooperatives) and Kentucky institutions of higher education with EPSB-approved educator preparation programs to submit a continuing education option plan with a combination of field-based experiences, individual research and approved professional development to the EPSB for approval. The EPSB also approved the CEO Plan II Guidelines that provide information for districts, groups of districts and institutions of higher education to design and submit a continuing education option plan that aligns with the requirements of 16 KAR 8:030 and KRS 161.095.

***Summary:*** The Graves County School's CEO Plan II program would allow educators to pursue and achieve Rank I or II, depending on their current rank and grow in their profession through field-based experience, research and approved professional development. Graves County

School's CEO Plan II meets the guidelines that includes an introduction, capstone project, job-embedded professional development experiences, assessment of candidates and program evaluation. Graves County School's CEO Plan II requires approval by the EPSB before it may be offered for rank change.

The CEO Plan II proposal is included in the Board Meeting Materials tab and requires approval by the EPSB before it may be offered for rank change.

***Budget Impact:*** There is no budgetary impact.

**Groups Consulted and Brief Summary of Responses:**

OELE Staff, District representatives, Educational Cooperative staff, EPP Leaders

The CEO Plan II reviewers reviewed the proposal individually and then came together virtually to reach consensus. The results were sent to Graves County Schools. Graves County Schools responded to the program review feedback. OELE staff reviewed the revised proposal to confirm compliance with the scoring guide and reviewers' comments.

**Contact Person:**

Sharon Salsman, Assistant Director  
Division of Educator Preparation and Certification  
Office of Educator Licensure and Effectiveness  
(502) 564-4606  
Email: [sharon.salsman@education.ky.gov](mailto:sharon.salsman@education.ky.gov)

## **KENTUCKY DEPARTMENT OF EDUCATION**

### **STAFF NOTE**

#### **Consent Item:**

Paducah Independent Schools Continuing Education Option (CEO) Plan II Proposal

#### **Staff Recommendation:**

The Education Professional Standards Board (EPSB) should approve the Paducah Independent School's CEO Plan II for Rank I or II.

#### **Rationale:**

The CEO Plan II reviewers consisting of representatives from districts, educational cooperatives and education preparation providers (EPPs), and staff from the Office of Educator Licensure and Effectiveness (OELE) reviewed the CEO Plan II proposal in accordance with 16 KAR 8:030 and the CEO Plan II Guidelines approved by the EPSB. The reviewers found that the proposal meets the applicable requirements and recommends that the EPSB approve the CEO Plan II program.

#### **Action Question:**

Should the EPSB approve the Paducah Independent School's CEO Plan II program proposal?

#### **Applicable Statute or Regulation:**

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

#### **History/Background:**

***Existing Policy:*** KRS 161.1211 establishes the classifications of teachers. According to the statute, an educator may obtain Rank II by obtaining a master's degree, acquiring National Board Certification or successfully completing equivalent continuing education. Rank I is obtained by meeting the requirements of Rank II and having an additional thirty hours of approved graduate credit, a master's degree, National Board Certification or equivalent continuing education. KRS 161.095 provides that the EPSB shall develop standards for continuing education including college/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 continuing education requirements for CEO Plan I and Plan II for rank change. CEO Plan II allows districts, groups of districts (such as educational cooperatives) and Kentucky institutions of higher education with EPSB-approved educator preparation programs to submit a continuing education option plan with a combination of field-based experiences, individual research and approved professional development to the EPSB for approval. The EPSB also approved the CEO Plan II Guidelines that provide information for districts, groups of districts and institutions of higher education to design and submit a continuing education option plan that aligns with the requirements of 16 KAR 8:030 and KRS 161.095.

***Summary:*** The Paducah Independent School's CEO Plan II program would allow educators to pursue and achieve Rank I or II, depending on their current rank and grow in their profession through field-based experience, research and approved professional development. Paducah

Independent School's CEO Plan II meets the guidelines that includes an introduction, capstone project, job-embedded professional development experiences, assessment of candidates and program evaluation. Paducah Independent School's CEO Plan II requires approval by the EPSB before it may be offered for rank change.

The CEO Plan II proposal is included in the Board Meeting Materials tab and requires approval by the EPSB before it may be offered for rank change.

***Budget Impact:*** There is no budgetary impact.

**Groups Consulted and Brief Summary of Responses:**

OELE Staff, District representatives, Educational Cooperative staff, EPP Leaders

The CEO Plan II reviewers reviewed the proposal individually and then came together virtually to reach consensus. The results were sent to Paducah Independent Schools. Paducah Independent Schools responded to the program review feedback. OELE staff reviewed the revised proposal to confirm compliance with the scoring guide and reviewers' comments.

**Contact Person:**

Sharon Salsman, Assistant Director  
Division of Educator Preparation and Certification  
Office of Educator Licensure and Effectiveness  
(502) 564-4606  
Email: [sharon.salsman@education.ky.gov](mailto:sharon.salsman@education.ky.gov)



**KENTUCKY DEPARTMENT OF EDUCATION**  
**STAFF NOTE**

**Consent Item:**

2023-2024 Emergency Non-Certified School Personnel Program for Clark County

**Staff Recommendation:**

The Education Professional Standards Board (EPSB) should approve the application for the Emergency Non-Certified School Personnel Program for the 2023-2024 school year.

**Rationale:**

The district has met the requirements of 16 KAR 2:030.

**Action Question:**

Should the EPSB approve Clark County Public School district's application for the Emergency Non-Certified School Personnel Program for the 2023-2024 school year?

**Applicable Statutes and Regulation:**

16 KAR 2:030

**History/Background:**

***Existing Policy:*** 16 KAR 2:030, Section 3 provides that if a district is unable to employ a substitute teacher using the priority selection process a district may utilize a person through the Emergency Noncertified School Personnel Program established by the EPSB. A district seeking participation in this program shall apply to and receive approval from the EPSB on an annual basis. It also provides that a district that was approved by the EPSB to operate an Emergency Noncertified School Personnel Program the preceding year may request renewal for continuation of the program. Renewal shall be contingent upon demonstration of the continued need for the program and successful evaluation of the previous year's program pursuant to reporting requirements.

***Summary:*** Clark County Public Schools has requested new enrollment into the program and have submitted their application and program plan to EPSB for review. After reviewing the application, staff is recommending acceptance for Clark County in the program for the remainder of the 2023-2024 school year.

***Budget Impact:*** There is no budgetary impact.

**Contact Person:**

Brandon Harrod, Administrative Specialist  
Division of Educator Preparation and Certification  
Office of Educator Licensure and Effectiveness  
(502) 564-4606  
Email: [brandon.harrod@education.ky.gov](mailto:brandon.harrod@education.ky.gov)

## KENTUCKY DEPARTMENT OF EDUCATION

### STAFF NOTE

#### **Information Item:**

16 KAR 5:040, Admission, Placement, and Supervision in Student Teaching, Amendment

#### **Rationale:**

The proposed amendment incorporates waivers that the EPSB has previously approved to allow student teachers to serve as emergency certified substitute teachers, allow student teachers to maintain classified employment, and allow remote observations of student teachers without submitting a request. The proposed amendment also incorporates some feedback received from the Kentucky Association of Colleges of Teacher Education (KACTE).

#### **Applicable Statute or Regulation:**

KRS 161.010, KRS 161.028, KRS 161.042, KRS 161.102, 16 KAR 5:040

#### **History/Background:**

***Existing Policy:*** KRS 161.010(6) defines student teacher as “an adult who has completed the prerequisite teacher preparation as prescribed by the accredited teacher education institution in which he or she is enrolled, and who is jointly assigned by the institution and a local school district to engage in a period of practice teaching under the direction and supervision of the administrative and teaching staff of the school district and the institution.” KRS 161.042 further sets out the role of the student teacher but tasks the EPSB with promulgating administrative regulations on the specifics of the utilization of student teachers and the requirements for the supervising teacher, school and school district. Through 16 KAR 5:040, the EPSB has set forth the requirements for admission, placement and supervision in student teaching.

***Summary:*** Since 2020, the EPSB has approved waivers allowing experience that a student teacher acquired as an emergency certified substitute teacher to meet the requirements of student teaching and allowing all student teaching observations to be performed remotely for all educator preparation programs. Due to the positive feedback, the EPSB has continued to approve these waivers annually. Additionally, at the July 2023 meeting, the EPSB approved a waiver to allow student teachers to maintain classified employment for the 2023-2024 school year. The proposed amendment to 16 KAR 5:040 incorporates these waivers as well as feedback received from KACTE.

A copy of the KACTE feedback is included for EPSB review. KACTE has recommended that student teaching experiences not be split among multiple classrooms with multiple cooperating teachers. It’s the group’s consensus that splitting student teaching across two or more placements sacrifices depth for breadth. KACTE members would prefer to keep students in one placement for student teaching when that is possible as that provides them with richer experiences for understanding instruction, assessment, student growth over time, classroom culture/procedures/routines, and relationship building. Since the regulation also requires students to complete a range of field experiences prior to student teaching, KACTE believes the breadth of the K-12 experience can be covered in the field placements prior to the professional semester of

student teaching. KACTE has also recommended lowering the experience requirement for cooperating teachers from three years to two years as some providers are experiencing a decrease in the number of qualified teachers to serve in this role. At the meeting, staff would like to engage the EPSB in discussion around these two items to determine the EPSB's desire going forward.

The proposed amendment to 16 KAR 5:040 is included for EPSB review.

***Budget Impact:*** There is no budgetary impact.

**Contact Person:**

Cassie Trueblood, Counsel and Policy Advisor  
Office of Educator Licensure and Effectiveness  
(502) 564-4606  
Email: [cassie.trueblood@education.ky.gov](mailto:cassie.trueblood@education.ky.gov)

## KACTE Recommendations/Feedback – 16 KAR 5040

The feedback below is grouped by themes and reflects input from the following EPPs:

- University of the Cumberlands
- Morehead State
- University of Pikeville
- Eastern Kentucky University
- University of Louisville
- Spalding
- Bellarmine University
- Asbury University
- Western Kentucky University
- Campbellsville University
- University of Kentucky

### Suggestions for Student Teaching

- ✓ Virtual observations should be allowed without prior approval
- ✓ Student teaching placements should correspond to the grade levels and content areas of certification being sought;
- ✓ Elementary candidates should not have to split their time between grade levels OR language that allows elementary placements to remain in one grade/content throughout the student teaching experience;
- ✓ Candidates pursuing a primary-grade 12 certificate shall be placed in the classroom level that EPP determines is most appropriate based on prior field experience
- ✓ Candidates seeking dual certification in middle and secondary content areas shall be placed in the classroom level(s) and content area(s) that is most appropriate
- ✓ Allow cooperating teachers and field placement teachers to serve in this capacity with 2 years' experience and mutually agreed to by the district and EPP
- ✓ Maintain the option for candidates to substitute teach during student teaching, but leave the implementation of the policy up to EPPs as the EPP knows which candidates are ready for this
- ✓ Consider adding an option 6-type experience for student teachers
- ✓ Enable student teachers to be compensated
- ✓ Delete reference to KTIP
- ✓ Update to reflect the training for cooperating teachers and university supervisors as currently implemented
- ✓ Remove the requirement to provide CT's and student teacher's social security number

### Suggestions for Field Hours prior to Student Teaching

- ✓ Each candidate shall complete 200 field hours prior to student teaching in a variety of settings from K-12 grades including: elementary, middle, and secondary schools; related agencies providing wrap around supports for students and families; and professional development/learning opportunities. Time spent in different settings will be determined by the EPP as appropriate to the candidates' needs.

- ✓ Allow for compensation for the 200 clinical hours (all or in part) provided the candidate still meets field hour requirements as outlined in regulation and by the EPP.
- ✓ Delete the requirement to use KFETS/replace with EPPs shall maintain electronic records that document/confirm candidates field experience

1 EDUCATION AND LABOR CABINET

2 Education Professional Standards Board

3 (Amendment)

4 16 KAR 5:040. Admission, placement, and supervision in student teaching.

5 RELATES TO: KRS 161.020, 161.028, 161.030, 161.042

6 STATUTORY AUTHORITY: KRS 161.028, 161.030, 161.042

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028 requires that an educator  
8 preparation institution be approved for offering the preparation program corresponding to a  
9 particular certificate on the basis of standards and procedures established by the Education  
10 Professional Standards Board (**EPSB**). KRS 161.030 requires that a certificate be issued to a  
11 person who has completed a program approved by the **EPSB**[~~Education Professional Standards~~  
12 ~~Board~~]. KRS 161.042 requires the **EPSB**[~~Education Professional Standards Board~~] to promulgate  
13 an administrative regulation relating to student teachers, including the qualifications for  
14 cooperating teachers. This administrative regulation establishes the standards for admission,  
15 placement, and supervision in student teaching.

16 Section 1. Cooperating Teacher Eligibility Requirements.

17 (1) The cooperating teacher, whether serving in a public or nonpublic school, shall have:

18 (a) A valid teaching certificate or license for each grade and subject taught; and

19 (b) At least three (3) years of teaching experience as a certified educator.

1 (2) A teacher assigned to a teaching position on the basis of a provisional or emergency certificate  
2 issued by the EPSB~~[Education Professional Standards Board]~~ shall not be eligible for serving as  
3 a cooperating teacher.

4 (3) Prior to student teacher placement, a cooperating teacher shall receive training approved by  
5 the EPSB~~[Education Professional Standards Board]~~ and provided at no cost to the cooperating  
6 teacher by the educator preparation institution which shall include the following components:

- 7 (a) Basic responsibilities of a cooperating teacher;
- 8 (b) Best practice in supporting the student teacher; and
- 9 (c) Effective assessment of the student teacher.

10 (4) Each educator preparation institution shall file an electronic report with the EPSB~~[Education  
11 Professional Standards Board]~~ every semester which identifies the following:

- 12 (a) Each candidate at the educator preparation institution enrolled in student teaching;
- 13 (b) The candidate's assigned school;
- 14 (c) The cooperating teacher assigned to each candidate;
- 15 (d) The cooperating teacher's area of certification;
- 16 (e) The cooperating teacher's years of experience as a certified or licensed educator; and
- 17 (f) The number of days the cooperating teacher supervised the student teacher during the  
18 semester.

19 Section 2. Admission to Student Teaching. Admission to student teaching shall include a formal  
20 application procedure for each teacher candidate.

21 (1) Prior to and during the student teaching experience, the teacher candidate shall adhere to the  
22 Professional Code of Ethics for Kentucky School Personnel established in 16 KAR 1:020.

1 (2) Prior to admission to student teaching, each teacher candidate shall complete a minimum of  
2 200 clock hours of field experiences in a variety of primary through grade 12 (P-12) school  
3 settings which allow the candidate to participate in the following:

4 (a) Engagement with diverse populations of students which include:

- 5 1. Students from a minimum of two (2) different ethnic or cultural groups of which the  
6 candidate would not be considered a member;
- 7 2. Students from different socioeconomic groups;
- 8 3. English language learners;
- 9 4. Students with disabilities; and
- 10 5. Students from across elementary, middle school, and secondary grade levels;

11 (b) Observation in schools and related agencies, including:

- 12 1. Family Resource Centers; or
- 13 2. Youth Service Centers;

14 (c) Student tutoring;

15 (d) Interaction with families of students;

16 (e) **Observation of** ~~Attendance at~~ school board and school-based council meetings;

17 (f) **Observation of** ~~Participation~~ in a school-based professional learning community; and

18 (g) Opportunities to assist teachers or other school professionals.

19 (3) The educator preparation institution shall maintain electronic records that confirm all  
20 candidates enrolled in student teaching have fulfilled the field experiences required in subsection

21 (2) of this section. ~~[Beginning July 1, 2019, the educator preparation institution shall maintain~~  
22 ~~electronic records in the Kentucky Field Experience Tracking System (KFETS) that confirm all~~



1 candidates enrolled in student teaching have fulfilled the field experiences required in subsection  
2 (2) of this section.]

3 Section 3. Cooperating Teacher to Student Teacher Ratio. The ratio of student teachers to  
4 cooperating teachers shall be one-to-one.

5 Section 4. University Supervisor.

6 (1) The university supervisor shall conduct a minimum of four (4) observations of the student  
7 teacher in the actual teaching situation, a portion of which may be remote. [~~Requests for remote~~  
8 ~~observation(s) shall be submitted to and approved by EPSB prior to observation(s).~~]

9 (2) The observation reports shall be filed as a part of the student teacher record and used as a  
10 validation of the supervisory function.

11 (3) The university supervisors shall be available to work with the student teacher and personnel  
12 in the cooperating school regarding any problems that may arise relating to the student teaching  
13 situation.

14 (4) University supervisors shall receive training approved by the EPSB[~~Education Professional~~  
15 ~~Standards Board~~] and provided at no cost to the university supervisor by the educator preparation  
16 institution which shall include the following components:

- 17 (a) Basic responsibilities of a university supervisor;
- 18 (b) Best practice in supporting the student teacher; and
- 19 (c) Effective assessment of the student teacher.

20 Section 5. Professional Experience.

21 (1) The educator preparation institution shall provide opportunities for the student teacher to  
22 assume major responsibility for the full range of teaching duties, including extended co-teaching  
23 experiences, in a real school situation under the guidance of qualified personnel from the educator

1 preparation institution and the cooperating elementary, middle, or high school. The educator  
2 preparation institution and the school district shall make reasonable efforts to place student  
3 teachers in settings that provide opportunities for the student teacher to develop and demonstrate  
4 the practical skills, knowledge, and professional dispositions essential to help all P-12 students  
5 learn and develop.

6 (2) A student teacher shall not be placed in a setting that is not consistent with his or her planned  
7 certification content and grade range.

8 (3) The student teacher placement shall provide the student teacher with the opportunity to  
9 engage with diverse populations of students.

10 (4) Each educator preparation institution shall provide a full professional semester to include a  
11 period of student teaching for a minimum of seventy (70) full days, or its equivalent, in  
12 instructional settings that correspond to the grade levels and content areas of the student teacher's  
13 certification program. Institutions unable to locate a placement aligned with grade level  
14 requirements in this section shall submit an alternative placement request to EPSB staff. EPSB  
15 staff may pre-approve the alternative placement request if the alternative placement request  
16 includes:

17 (a) A description of the efforts of the institution to locate a placement aligned with grade level  
18 requirements in this section;

19 (b) The rationale for the choice of the identified alternative placement; **and**

20 (c) [~~Statements of support for the alternative placement from the principal and the cooperating~~  
21 ~~teacher; and~~

22 (~~d~~) Evidence of the candidate's variety of field experiences prior to student teaching. All  
23 alternative placement requests shall be placed on the consent agenda for the next regularly

1 scheduled meeting of the EPSB[board] and shall be contingent upon EPSB[board] approval.  
2 The EPSB waiver committee may review submissions prior to the EPSB[board] meeting and  
3 recommend that the EPSB[board] move items from the consent items to the action or waiver  
4 items on the agenda. Pre-approval shall not be granted if the alternative placement does not  
5 meet the criteria set forth in this subsection. All alternative placements that are not eligible for  
6 pre-approval shall be placed on the agenda of the next regularly scheduled meeting of the  
7 EPSB[board] as a waiver item for consideration.

8 1. Candidates pursuing a primary through grade 12 certificate shall have their student teaching  
9 balanced between an elementary school placement and middle school or high school  
10 placement.

11 2. Candidates pursuing an elementary certificate shall have their student teaching balanced  
12 between a placement in primary through grade 3 and a placement in grade 4 or grade 5.

13 3. Candidates seeking dual certification in either middle school or secondary content areas  
14 shall have equal placements in both content areas.

15 (5) The educator preparation institution shall use the Kentucky Teacher Internship Program  
16 Teacher Performance Assessment documents established in 16 KAR 7:010.

17 (6) A student teacher shall not have responsibility for the supervision or instruction of P-12  
18 students without the direct supervision of a certified educator.

19 (7) **An educator preparation provider may allow experience that a candidate gains as an**  
20 **emergency certified substitute teacher to count towards the student teaching placement.**  
21 **The student teacher must obtain the emergency substitute teaching certificate and will be**  
22 **exempt from the restriction in subsection (6) of this section.**~~[A student teacher shall not~~  
23 ~~receive direct compensation for student teaching.]~~

1 (8) The educator preparation institution shall maintain electronic records that confirm that all  
2 students meet the requirements of this section.

3 Section 6. Compensation of Cooperating Teachers.

4 (1) The EPSB~~[Education Professional Standards Board]~~ may make arrangements with local  
5 school districts to compensate a cooperating teacher.

6 (2)

7 (a) The educator preparation institution shall electronically submit a report of all cooperating  
8 teachers and their corresponding student teachers to the EPSB~~[Education Professional  
9 Standards Board]~~:

10 1. On or before September 30 for a cooperating teacher supervising a student teacher during  
11 the fall semester; or

12 2. On or before February 1 for a cooperating teacher supervising a student teacher during the  
13 spring semester.

14 (b) Each report shall include:

15 1. The number of contract weeks that the cooperating teacher is working with each student  
16 teacher for that semester;

17 2. The cooperating teacher's full name and Social Security number;

18 3. The student teacher's full name, Social Security number, demographic data, and contact  
19 information;

20 4. The student teacher's preparation and certification area by assigned certification code; and

21 5. The names of the school district and school where the cooperating teacher is employed and  
22 the student teaching requirement is being fulfilled. If the certified cooperating teacher is  
23 employed in a nonpublic school which meets the state performance standards as established

1 in KRS 156.160 or which has been accredited by a regional or national accrediting association,  
2 the institution shall submit the name of the school.

3 (c) If an educator preparation institution fails to provide the report by the date established in  
4 paragraph (a) of this subsection, the **EPSB**[~~Education Professional Standards Board~~] shall not  
5 be liable for payment under this administrative regulation.

6 (3)

7 (a) The electronic voucher shall be electronically signed by the cooperating teacher and the  
8 university supervisor as verification of the cooperating teacher's service to the student teacher  
9 and submitted to the **EPSB**[~~Education Professional Standards Board~~]:

10 1. On or before December 15 during the fall semester; or

11 2. On or before May 1 during the spring semester.

12 (b) If a cooperating teacher fails to provide the completed electronic payment voucher by the  
13 date established in paragraph (a) of this subsection, the cooperating teacher shall not be eligible  
14 to receive any compensation available under this administrative regulation.

15 (4)

16 (a) The payment to a cooperating teacher shall be determined based upon available funding  
17 allocated under the biennial budget bill and the total number of days served by all cooperating  
18 teachers reported for the fiscal year.

19 (b) The payment shall be allocated to a cooperating teacher based upon the number of days the  
20 teacher supervised a student teacher as reported in subsections (2) and (3) of this section, not to  
21 exceed more than seventy (70) days in a semester.

22 (5) Payments to cooperating teachers shall be disbursed to the school districts or to cooperating  
23 teachers in nonpublic schools by the **EPSB**[~~Education Professional Standards Board~~]:

- 1 (a) On an annual basis; and
- 2 (b) On or before June 30.
- 3 (6) Any payment of state funds under this administrative regulation shall:
  - 4 (a) Be a supplement to the compensation provided by an educator preparation institution to a
  - 5 cooperating teacher who is supervising an institution's student teacher; and
  - 6 (b) Not supplant the educator preparation institution's compensation responsibility.

DRAFT

## **KENTUCKY DEPARTMENT OF EDUCATION**

### **STAFF NOTE**

#### **Action Item:**

16 KAR 2:120, Emergency Certification and Out-of-Field Teaching, Amendment

#### **Staff Recommendation:**

The Education Professional Standards Board (EPSB) should approve the amendments to 16 KAR 2:120.

#### **Rationale:**

The proposed amendment is necessary to ensure that 16 KAR 2:120 does not conflict with the Individuals with Disabilities Education Act (IDEA). The amendment prohibits the issuance of emergency certificates for special education teachers. The proposed amendment also removes outdated application forms and updates the grade point average (GPA) requirement for emergency teaching and emergency substitute certificates. Additionally, the amendment allows for two issuances of an emergency teaching certificate.

#### **Action Question:**

Should the EPSB approve the proposed amendment to 16 KAR 2:120?

#### **Applicable Statute or Regulation:**

KRS 161.020, KRS 161.028, KRS 161.100, 16 KAR 2:120

#### **History/Background:**

***Existing Policy:*** KRS 161.100 authorizes the EPSB to establish qualifications for granting emergency certificates if qualified teachers are not available for specific positions. 16 KAR 2:120 establishes the qualifications and procedures for emergency certifications and establishes the definition for out-of-field teaching.

IDEA regulation sets personnel qualifications for special education teachers. Specifically, 34 CFR 300.156 (c) provides “(1) The qualifications described in paragraph (a) of this section must ensure that each person employed as a public-school special education teacher in the State who teaches in an elementary school, middle school, or secondary school—

- (i) Has obtained full State certification as a special education teacher (including certification obtained through an alternate route to certification as a special educator, if such alternate route meets minimum requirements described in 34 CFR 200.56(a)(2)(ii) as such section was in effect on November 28, 2008), or passed the State special education teacher licensing examination, and holds a license to teach in the State as a special education teacher, except that when used with respect to any teacher teaching in a public charter school, the teacher must meet the certification or licensing requirements, if any, set forth in the State’s public charter school law;

- (ii) Has not had special education certification or licensure requirements waived on an emergency, temporary, or provisional basis; and
- (iii) Holds at least a bachelor's degree.

(2) A teacher will be considered to meet the standard in paragraph (c)(1)(i) of this section if that teacher is participating in an alternate route to special education certification program under which—

- (i) The teacher—
  - (A) Receives high-quality professional development that is sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction, before and while teaching;
  - (B) Participates in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring program;
  - (C) Assumes functions as a teacher only for a specified period of time not to exceed three years; and
  - (D) Demonstrates satisfactory progress toward full certification as prescribed by the State; and
- (ii) The State ensures, through its certification and licensure process, that the provisions in paragraph (c)(2)(i) of this section are met.

**Summary:** To comply with the IDEA prohibition on emergency certificates for special education teachers, the proposed amendment prohibits the issuance of a Kentucky emergency certificate for teaching exceptional children or interdisciplinary early childhood education. The amendment also removes the reference to outdated application forms, updates the GPA requirement for emergency teaching and substitute certificates, and allows for two issuances of an emergency teaching certificate. A copy of the proposed amendment is included for EPSB review.

**Budget Impact:** There is no budgetary impact.

**Contact Person:**

Cassie Trueblood, Counsel and Policy Advisor  
Office of Educator Licensure and Effectiveness  
(502) 564-4606  
Email: [cassie.trueblood@education.ky.gov](mailto:cassie.trueblood@education.ky.gov)



1 EDUCATION AND LABOR CABINET

2 Education Professional Standards Board

3 (Amendment)

4 16 KAR 2:120. Emergency certification and out-of-field teaching.

5 RELATES TO: KRS 157.390, 161.020, 161.028, 161.030, 161.100, **161.102**, 161.1211,  
6 161.1221, 334A.030, 334A.033, 334A.035, 334A.050, 334A.060, **34 C.F.R. 300.156**

7 STATUTORY AUTHORITY: KRS 161.028(1)(a), 161.030(1), 161.100, 161.1221(1)

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.100 authorizes the Education  
9 Professional Standards Board (**EPSB**) to establish qualifications for granting emergency  
10 certificates if qualified teachers are not available for specific positions. KRS 161.1221(1) requires  
11 the **EPSB**[~~Education Professional Standards Board~~] to establish a definition for out-of-field  
12 teaching. This administrative regulation establishes the qualifications and procedures for  
13 emergency certifications and establishes the definition for out-of-field teaching.

14 Section 1. Definition. "Qualified teacher" means a teacher who holds the appropriate  
15 certification for the position unless the superintendent of the employing school district has  
16 documented evidence that the teacher is unsuitable for appointment.

17 Section 2. (1)

18 [~~(a) Until December 31, 2014, a superintendent of a local school district shall apply to the~~  
19 ~~Education Professional Standards Board for an emergency teaching certificate on behalf of an~~  
20 ~~applicant by completing the Form TC-4F.~~

1 ~~(b) Beginning January 1, 2015, a superintendent of a local school district shall apply to the~~  
2 ~~Education Professional Standards Board for an emergency teaching certificate on behalf of an~~  
3 ~~applicant by completing the Form CA-4E.~~

4 (2) In accordance with KRS 161.100, prior to applying on behalf of an applicant for an  
5 emergency teaching certificate, the superintendent and board of education of a local school  
6 district shall document the following:

7 (a) Qualified teachers have not applied for the vacant position and qualified teachers are not  
8 available for the position;

9 (b) Diligent efforts have been made to recruit a qualified teacher for the vacant position, and  
10 furthermore, this vacancy has been made known locally by appropriate means;

11 (c) The local school district has been unsuccessful in recruiting qualified teachers for the vacant  
12 position from the listings of teachers supplied by the placement services of the teacher education  
13 institutions;

14 (d) The position shall be filled by the most suitable applicant available, giving preference to the  
15 factors of academic preparation, prior teaching experience or related educational work, and  
16 personal attributes compatible with the demands of the teaching profession; and

17 (e) The local school district has conducted a criminal records check as required by KRS 160.380  
18 for each applicant prior to applying for the emergency certificate.

19 **(2) The emergency certificate shall be valid for one school year.**

20 **(3) The emergency teaching certificate shall be limited to two issuances. A candidate may**  
21 **qualify for an additional issuance if an emergency certificate was issued under the following**  
22 **conditions:**

23 **a. The emergency certificate was issued after February 15 of a school year; or**

1 b. The emergency certificate was issued for less than fifty (50) percent of the person's  
2 class schedule.

3 (4) The EPSB shall not issue an emergency certificate for teaching exceptional children or  
4 interdisciplinary early childhood education.

5 ~~[(3)(a) The Education Professional Standards Board, depending upon the assessment of need~~  
6 ~~for the position and the availability or anticipated availability of qualified teachers, shall~~  
7 ~~approve or disapprove a request for the employment of emergency teachers.~~

8 ~~1. The term of validity of an emergency certificate may be limited to a period less than the full~~  
9 ~~school year.~~

10 ~~2. The beginning date shall be no earlier than the date the request form is received by the~~  
11 ~~Education Professional Standards Board.~~

12 ~~3. In accordance with the licensure requirements of KRS 334A.030, 334A.033, 334A.035,~~  
13 ~~334A.050, and 334A.060, the Education Professional Standards Board shall not issue an~~  
14 ~~emergency certificate for teaching exceptional children with communication disorders.~~

15 ~~(b) An emergency certificate shall not be issued to the same person in any subsequent year~~  
16 ~~unless the original emergency certificate was issued under the following conditions:~~

17 ~~1. The emergency certificate was issued after February 15 of a school year; or~~

18 ~~2. The emergency certificate was issued for less than fifty (50) percent of the person's class~~  
19 ~~schedule.~~

20 ~~(c) If an emergency certificate is issued to a person pursuant to paragraph (b) of this subsection,~~  
21 ~~there shall be no more than one (1) subsequent issuance of an emergency certificate to the same~~  
22 ~~person.~~

23 ~~(4)~~

1 (a) ~~Emergency certification for an assignment as teacher of exceptional children shall be issued~~  
2 ~~with the condition that the applicant shall receive intensive training on special education topics,~~  
3 ~~including IEP, assessment, evaluation, individualized instruction, methods, and management.~~

4 ~~This training shall be accomplished as follows:~~

5 ~~1. The applicant shall complete twelve (12) clock hours of training as required by the Office~~  
6 ~~of Special Instructional Services of the Kentucky Department of Education;~~

7 ~~2.—~~

8 ~~a. The applicant shall complete an additional six (6) clock hours of training during the fall~~  
9 ~~conference conducted by the Division of Exceptional Children Services of the Kentucky~~  
10 ~~Department of Education. Teachers employed after the fall conference shall complete these~~  
11 ~~six (6) clock hours of training during the spring conference of the Council for Exceptional~~  
12 ~~Children; or~~

13 ~~b. If the applicant is unable to attend either the fall conference or the spring conference, the~~  
14 ~~applicant shall complete an additional six (6) clock hours of training offered through one (1)~~  
15 ~~of the state's eleven (11) special education cooperatives. The training shall be similar to the~~  
16 ~~topics covered at the conferences; and~~

17 ~~3. The applicant shall participate in at least one (1) day of flexible in-service training, relevant~~  
18 ~~specifically to special education. The training shall be limited to visitation in a classroom of~~  
19 ~~an exemplary special education teacher, special education training relevant to the identified~~  
20 ~~needs of the teacher, or other training provided by the Office of Special Instructional Services.~~

21 (b) ~~The Kentucky Department of Education shall report to the Education Professional Standards~~  
22 ~~Board those emergency certified teachers of exceptional children who have not completed the~~

1 training requirements established in this subsection by June 30 of each year for the preceding  
2 school year.]

3 (5) The superintendent of the local school district and the board of education may establish the  
4 need for emergency substitute teachers on the basis of anticipated shortages of regularly certified  
5 teachers and in accordance with district policies and procedures established for the selection and  
6 employment of substitute teachers.

7 (6) The **EPSB**[~~Education Professional Standards Board~~] shall periodically review the numbers  
8 of emergency certificates issued for full-time, part-time, and substitute teaching by school  
9 district, by position, and by academic preparation.

10 **Section 3. Emergency Teaching Certificate. (1) Issuance of an emergency teaching**  
11 **certificate shall require a minimum of a bachelor's degree from a regionally or nationally**  
12 **accredited college or university with one of the following:**

13 **(a) a cumulative minimum grade point average of 2.5 on a 4.0 scale; or**

14 **(b) a grade point average of 2.75 on a 4.0 scale on the last thirty hours of credit**  
15 **completed, including undergraduate and graduate coursework.**

16 **(2) A candidate meeting the requirements of Subsection (1) of this section shall be eligible**  
17 **for issuance of the emergency teaching certificate upon application to the EPSB, compliance**  
18 **with 16 KAR 2:010, Section 3(1), and submission of the following documentation:**

19 **(a) Official transcripts showing all college or university credits necessary for the requested**  
20 **certificate;**

21 **(b) An offer of employment in a Kentucky school district in the area in which emergency**  
22 **certification is being sought; and**

23 **(c) Compliance with Section 2(1) of this administrative regulation.**

1 (3) An emergency teaching certificate shall not be issued to individuals who have been  
2 judged to be unsatisfactory in the beginning teacher internship established in 16 KAR 7:010

3 Section 4. Emergency Substitute Certificate. (1) Issuance of an emergency substitute  
4 certificate shall require a minimum of sixty-four (64) semester hours of credit from a  
5 regionally or nationally accredited college or university with one of the following:

6 (a) a cumulative minimum grade point average of 2.5 on a 4.0 scale; or

7 (b) a grade point average of 2.75 on a 4.0 scale on the last thirty hours of credit completed,  
8 including undergraduate and graduate coursework.

9 (2) A candidate with a bachelor's degree from a regionally or nationally accredited college  
10 or university is exempt from the grade point average requirements in Subsection (1) of this  
11 section.

12 (3) A local school district shall review the qualifications and transcripts for each applicant  
13 for an emergency substitute certificate pursuant to the requirements of this administrative  
14 regulation.

15 (4) A candidate meeting the requirements of Subsection (1) of this section shall be eligible  
16 for issuance of the emergency substitute certificate upon application to the EPSB, compliance  
17 with 16 KAR 2:010, Section 3(1), and submission of the following documentation:

18 (a) An offer of employment in a Kentucky school district; and

19 (b) Compliance with Section 2(5) of this administrative regulation.

20 Section 5. Emergency Occupation-Based Career and Technical Education Substitute  
21 Certificate. (1) Issuance of an emergency occupation-based career and technical education  
22 substitute certificate shall require a minimum of four (4) years of occupational experience in

1 the area to be taught and a high school diploma or its equivalent as determined by evidence  
2 of a passing score on the General Education Development Test.

3 (2) A local school district shall review the qualifications and transcripts for each applicant  
4 for an emergency substitute certificate pursuant to the requirements of this administrative  
5 regulation.

6 (3) A candidate meeting the requirements of Subsection (1) of this section shall be eligible  
7 for issuance of the certificate upon application to the EPSB, compliance with 16 KAR 2:010,  
8 Section 3(1), and submission of the following documentation:

9 (a) An offer of employment in a Kentucky school district; and

10 (b) Certification of all educational attainment and work experience earned by the  
11 prospective emergency teacher.

12 [~~7~~—

13 ~~(a)~~—

14 ~~1. An emergency certificate for full-time or part-time employment shall be issued only to~~  
15 ~~individuals who:~~

16 ~~a. Have completed a minimum of a bachelor's degree from a regionally accredited college;~~

17 ~~and~~

18 ~~b.~~—

19 ~~(i) Have a cumulative minimum grade point average of 2.5 on a 4.0 scale; or~~

20 ~~(ii) Have a minimum grade point average of 3.0 on a 4.0 scale on the last sixty (60) hours~~

21 ~~of credit completed, including undergraduate and graduate coursework.~~

1 ~~2. An emergency certificate for full-time or part-time employment shall not be issued to~~  
2 ~~individuals who have been judged to be unsatisfactory in the beginning teacher internship~~  
3 ~~established in 16 KAR 7:010.~~

4 ~~(b) An emergency certificate for substitute teaching shall be issued to individuals who:~~

5 ~~1. Have completed a minimum of sixty four (64) semester hours of credit from a regionally~~  
6 ~~accredited institution; and~~

7 ~~2.—~~

8 ~~a. Have a cumulative minimum grade point average of 2.5 on a 4.0 scale; or~~

9 ~~b. Have a minimum grade point average of 3.0 on a 4.0 scale on the last thirty[sixty (60)]~~  
10 ~~hours of credit completed, including undergraduate and graduate coursework.~~

11 ~~(c) An emergency certificate for substitute teaching in any career and technical education or~~  
12 ~~occupation-based position may be issued to persons who have a minimum of four (4) years of~~  
13 ~~occupational experience in the area to be taught and a high school diploma or its equivalent as~~  
14 ~~determined by evidence of a passing score on the General Education Development Test.~~

15 ~~(8)—~~

16 ~~(a)—~~

17 ~~1. Until December 31, 2014, a Form TC-4F signed by the local school superintendent and~~  
18 ~~approved by the local board of education shall be submitted for each anticipated emergency~~  
19 ~~position for full-time or part-time employment. The application shall be accompanied by~~  
20 ~~official transcripts of all college credits earned by the prospective emergency teacher.~~

21 ~~2. Beginning January 1, 2015, a Form CA-4F signed by the local school superintendent and~~  
22 ~~approved by the local board of education shall be submitted for each anticipated emergency~~



1 ~~position for full-time or part-time employment. The application shall be accompanied by~~  
2 ~~official transcripts of all college credits earned by the prospective emergency teacher.~~

3 ~~(b)~~

4 ~~1. Until December 31, 2014, a TC-4VE signed by the local school superintendent and~~  
5 ~~approved by the local board of education shall be submitted for each anticipated career and~~  
6 ~~technical or occupation-based emergency position for full-time or part-time employment. The~~  
7 ~~application shall be accompanied by official transcripts and certification of all educational~~  
8 ~~attainment and work experience earned by the prospective emergency teacher.~~

9 ~~2. Beginning January 1, 2015, a CA-4VE signed by the local school superintendent and~~  
10 ~~approved by the local board of education shall be submitted for each anticipated career and~~  
11 ~~technical or occupation-based emergency position for full-time or part-time employment. The~~  
12 ~~application shall be accompanied by official transcripts and certification of all educational~~  
13 ~~attainment and work experience earned by the prospective emergency teacher.~~

14 ~~(c) A local school district shall review the qualifications and transcripts for each applicant for~~  
15 ~~an emergency certificate for substitute teaching pursuant to the requirements of this~~  
16 ~~administrative regulation and other pertinent Kentucky statutes and administrative regulations~~  
17 ~~regarding school personnel.~~

18 ~~1.~~

19 ~~a.~~

20 ~~(i) Until December 31, 2014, a local school district shall initiate the online application~~  
21 ~~process for candidates for an emergency certificate for substitute teaching using the EPSB~~  
22 ~~On-line TC-4 Application System in accordance with the On-line TC-4 Implementation~~  
23 ~~Guide for Kentucky School Districts.~~

1           (ii) ~~Until December 31, 2014, a candidate for an emergency certificate for substitute~~  
2           teaching shall complete the Form TC-4 by using the EPSB On-line TC-4 Application  
3           System in accordance with the On-line TC-4 Implementation Guide for Kentucky School  
4           Districts.

5           b. ~~—~~

6           (i) ~~Beginning January 1, 2015, a local school district shall initiate the online application~~  
7           process for candidates for an emergency certificate for substitute teaching using the EPSB  
8           On-line Emergency Substitute Application System in accordance with the On-line  
9           Emergency Substitute Application System Implementation Guide for Kentucky School  
10          Districts.

11          (ii) ~~Beginning January 1, 2015, a candidate for an emergency certificate for substitute~~  
12          teaching shall complete the Form CA-4 by using the EPSB On-line Emergency Substitute  
13          Application System in accordance with the On-line Emergency Substitute Implementation  
14          Guide for Kentucky School Districts.

15          2. ~~A local school district shall require candidates for an emergency certificate for substitute~~  
16          teaching for career and technical education or occupation-based emergency positions to  
17          complete a Form TC-4VE or Form CA-4VE.

18          3. ~~A local school district shall submit any TC-4VE or Form CA-4VE application on which the~~  
19          candidate has provided an affirmative answer to any question in the application's Section IV,  
20          Character and Fitness, to the Education Professional Standards Board for approval prior to  
21          employing the candidate in a substitute teaching position.]

22          Section ~~6~~[3.] Rank and Salary Provisions. (1) The **EPSB**[~~Education Professional Standards~~  
23          Board] shall issue the emergency **teaching** certificate [for full-time or part-time employment]

1 established in Section 2 of this administrative regulation with a rank designation based upon  
2 the criteria established in this subsection.

3 (a) A teacher holding a valid Kentucky teaching certificate shall be issued an emergency  
4 certificate for full-time or part-time employment at the rank designated on the teacher's regular  
5 certificate.

6 (b)

7 1. A new teacher holding a valid one (1) year provisional certificate issued upon enrollment  
8 in the Kentucky Teacher Internship Program established in 16 KAR 7:010 shall be issued an  
9 emergency certificate for part-time employment at the rank designated on the teacher's one  
10 (1) year provisional certificate.

11 2. The teacher shall maintain a half-time enrollment in the internship as defined in 16 KAR  
12 7:010 to remain eligible for the higher rank established in this paragraph.

13 3. If the teacher terminates or otherwise fails to continue enrollment in the internship prior to  
14 its successful completion, the teacher shall be reclassified at Rank IV until the teacher is  
15 properly reenrolled in the internship program.

16 (c) A new teacher holding a valid Kentucky Statement of Eligibility shall be issued an  
17 emergency certificate for full-time or part-time employment at Rank IV until the teacher:

18 1. Is properly enrolled in the Kentucky Teacher Internship Program on at least a half-time  
19 basis as established in 16 KAR 7:010; and

20 2. Possesses the one (1) year provisional certificate referenced in paragraph (b)1 of this  
21 subsection.

1 (d) An applicant for the emergency certificate for full-time or part-time employment who does  
2 not hold a valid Kentucky teaching certificate shall be issued the emergency certificate at Rank  
3 IV.

4 (2) Local school districts **requesting**~~issuing~~ the emergency certificate for substitute teaching  
5 established in Section 2 of this administrative regulation shall adhere to the rank classifications  
6 established in KRS 161.1211.

7 Section ~~7~~<sup>4</sup> Out-of-field Teaching.

8 (1) Pursuant to KRS 161.1221(1), out-of-field teaching shall be classified in the following four  
9 (4) categories:

10 (a) The number of emergency certificates issued by grade range, subject field, and district;

11 (b) The number of probationary certificates issued by grade range, subject field, and district;

12 (c) The number of temporary provisional certificates issued by grade range, subject field, and  
13 district; and

14 (d) The number of teachers who do not possess a certificate of legal qualifications for the  
15 professional position they hold in the public schools, including a breakout of:

16 1. The number of teachers who hold no certificate;

17 2. The number of teachers who hold an expired certificate;

18 3. The number of certified teachers who are teaching outside of the subject field or fields  
19 indicated on their certificate who do not hold a credential listed in paragraph (a), (b), or (c) of  
20 this subsection; and

21 4. The number of certified teachers who are teaching outside the grade range indicated on their  
22 certificate who do not hold a credential listed in paragraph (a), (b), or (c) of this subsection.

1 (2) If data is available, reports on out-of-field teaching in the four categories established in  
2 subsection (1) of this section shall differentiate between teachers who possess the equivalent of  
3 a college major, minor, or area of concentration in the subject area they are teaching.

4 ~~[Section 5. Beginning January 1, 2015, an applicant for any certificate described in this~~  
5 ~~administrative regulation who is not currently certified as an educator in Kentucky shall submit~~  
6 ~~a national and state criminal background check performed in accordance with KRS 160.380(5)(e)~~  
7 ~~within twelve (12) months prior to the date of application.~~

8 ~~[Section 6. Incorporation by Reference.~~

9 ~~(1) The following material is incorporated by reference:~~

10 ~~(a) "Form CA-4", 08/2014;~~

11 ~~(b) "Form CA-4F", 08/2014;~~

12 ~~(c) "Form CA-4VE", 08/2014;~~

13 ~~(d) "Form TC-4", 10/2009;~~

14 ~~(e) "Form TC-4F", revised 10/2009;~~

15 ~~(f) "Form TC-4VE", 10/2009;~~

16 ~~(g) "On-line Emergency Substitute Application Implementation Guide for Kentucky School~~  
17 ~~Districts", August 2014; and~~

18 ~~(h) "On-line TC-4 Implementation Guide for Kentucky School Districts", May 2012.~~

19 ~~(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at~~  
20 ~~the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky~~  
21 ~~40601, Monday through Friday, 8 a.m. to 4:30 p.m.]~~

## KENTUCKY DEPARTMENT OF EDUCATION

### STAFF NOTE

#### **Action Item:**

16 KAR 2:160. Probationary Certificate for Teachers of Exceptional Children, Amendment

#### **Staff Recommendation:**

The Education Professional Standards Board (EPSB) should approve the amendments to 16 KAR 2:160.

#### **Rationale:**

The proposed amendments to 16 KAR 2:160 remove the requirement that applicants complete coursework prior to issuance of the probationary allowing the certificate to be issued upon enrollment in an approved educator preparation program for teachers of exceptional children. This will help already certified teachers to obtain a probationary certificate sooner. The proposed amendment is also necessary to ensure that 16 KAR 2:160 remains in effect.

#### **Action Question:**

Should the EPSB approve the proposed amendment to 16 KAR 2:160?

#### **Applicable Statute or Regulation:**

KRS 13A.3102, KRS 13A.3104, KRS 161.028, KRS 161.030, 16 KAR 2:160

#### **History/Background:**

***Existing Policy:*** KRS 13A.3102(2) provides that “An ordinary administrative regulation with a last effective date before March 1, 2013, shall expire on March 1, 2020, except as provided by the certification process in KRS 13A.3104.” KRS 13A.3104 sets forth the certification process that an agency must follow to avoid the expiration of an administrative regulation. This process requires the agency to review the administrative regulation in its entirety for compliance with current law governing the subject matter of the administrative regulation and file a letter with the regulations compiler prior to the expiration date, stating whether the administrative regulation shall be amended or remain in effect without amendment. If the certification letter states that the administrative regulation will be amended, the EPSB must file an amendment to the administrative regulation within eighteen (18) months of the date the certification letter was filed.

The EPSB certified 16 KAR 2:160 with the intent to amend on December 2, 2022, and must file an amendment to the regulation on or before June 1, 2024. This administrative regulation establishes a plan for recruiting certified classroom teachers into positions for teachers of exceptional children and creates a probationary certificate for teachers of exceptional children.

***Summary:*** This administrative regulation allows a district to request a probationary certificate for a teacher of exceptional children when a qualified teacher is not available to fill the position. The proposed amendment streamlines the language in Section 2 of the regulation to make clear that

any Kentucky certified teacher is eligible for a probationary certificate upon enrollment in an approved educator preparation program for teachers of exceptional children and removes the requirement that the candidate complete coursework prior to issuance of the certificate. The amendment also removes the reference to an outdated application form.

The probationary certificate meets the requirements for an alternative certification under the Individuals with Disabilities Education Act. A copy of the proposed amendment is included for EPSB review.

***Budget Impact:*** There is no budgetary impact.

**Contact Person:**

Cassie Trueblood, Counsel and Policy Advisor  
Office of Educator Licensure and Effectiveness  
(502) 564-4606

Email: [cassie.trueblood@education.ky.gov](mailto:cassie.trueblood@education.ky.gov)

1 EDUCATION AND LABOR CABINET

2 Education Professional Standards Board

3 (Amendment)

4 16 KAR 2:160. Probationary certificate for teachers of exceptional children.

5 RELATES TO: KRS 161.020, 161.028, 161.030

6 STATUTORY AUTHORITY: KRS 161.028, 161.030

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020, 161.028 and 161.030 require  
8 that teachers and other professional school personnel hold certificates of legal qualifications for  
9 their respective positions to be issued upon completion of programs of preparation prescribed by  
10 the Education Professional Standards Board **(EPSB)**. This administrative regulation establishes a  
11 plan for recruiting certified classroom teachers into positions for teachers of exceptional children.

12 Section 1. Definition. "Qualified teacher" means a teacher who holds the appropriate  
13 certification as a teacher of exceptional children unless the superintendent of the employing school  
14 district has documented evidence that the teacher is unsuitable for appointment.

15 Section 2. **(1)** If a qualified teacher is not available for the position of teacher of exceptional  
16 children as attested by the local school superintendent, the superintendent, on behalf of the local  
17 board of education, may request a one (1) year probationary certificate be issued **to a candidate**

18 **who:**

19 **(a) Holds a Kentucky teaching certificate; and**

20 **(b) Is enrolled in an EPSB approved educator preparation program for the certification**

21 **area for which application is being made**



1 [as provided in this administrative regulation.

2 ~~(1)–~~

3 ~~(a)–~~

4 ~~1. A valid classroom certificate or an internship statement of eligibility for grades K-4, 1-8, P-~~  
5 ~~5, 5-9, or 5-8 shall be a prerequisite for a one (1) year probationary certificate for learning and~~  
6 ~~behavior disorders, grades P-12; for hearing impaired, grades P-12; and for visually impaired,~~  
7 ~~grades P-12.~~

8 ~~2. The applicant shall have enrolled in an educator preparation program, in accordance with~~  
9 ~~16 KAR Chapter 5, in the certification area for which application is being made, and shall~~  
10 ~~have completed a minimum preparation of nine (9) semester hours of credit from the special~~  
11 ~~education component of the approved curriculum.~~

12 ~~(b)–~~

13 ~~1. A valid classroom teaching certificate or an internship statement of eligibility for grades 7-~~  
14 ~~12, 8-12, all grades, or 9-12 shall be a prerequisite for a one (1) year probationary certificate~~  
15 ~~for learning and behavior disorders, grades P-12; for the endorsement for learning and~~  
16 ~~behavior disorders, grades 8-12; for hearing impaired, grades P-12; and for visually impaired,~~  
17 ~~grades P-12.~~

18 ~~2. The applicant shall have enrolled in an educator preparation program in the certification~~  
19 ~~area for which application is being made, and shall have completed three (3) semester hours~~  
20 ~~in the teaching of reading and a minimum preparation of nine (9) semester hours of credit~~  
21 ~~from the special education component of the approved curriculum.~~

22 ~~(c)–~~

1 ~~1. A valid classroom teaching certificate or an internship statement of eligibility for grades K-~~  
2 ~~4, 1-8, 5-8, 7-12, P-5, 5-9, 8-12, all grades, or 9-12 shall be a prerequisite for a one (1) year~~  
3 ~~probationary certificate for teaching the moderately and severely disabled, grades P-12.~~

4 ~~2. The applicant shall have enrolled in an educator preparation program for teaching the~~  
5 ~~moderately and severely disabled and shall have completed nine (9) semester hours of credit~~  
6 ~~from the special education component of the approved curriculum for teaching the moderately~~  
7 ~~and severely disabled.~~

8 ~~(d)-~~

9 ~~1. A certificate for teaching exceptional children, including interdisciplinary early childhood~~  
10 ~~education, shall be a prerequisite for a one (1) year probationary certificate for teaching~~  
11 ~~learning and behavior disorders, grades P-12; the endorsement for learning and behavior~~  
12 ~~disorders, grades 8-12; hearing impaired, grades P-12; visually impaired, grades P-12; or~~  
13 ~~moderately and severely disabled, grades P-12.~~

14 ~~2. The applicant shall have enrolled in an educator preparation program in the certification~~  
15 ~~area for which application is being made and shall have completed a minimum preparation of~~  
16 ~~nine (9) semester hours of credit from the special education component of the approved~~  
17 ~~curriculum.~~

18 ~~(2) The applicant shall complete twelve (12) clock hours of training as required by the Office of~~  
19 ~~Next-generation Learners, Division of Learning Services.~~

20 ~~(3)-~~

21 ~~(a) The applicant shall complete an additional six (6) clock hours of training during the fall~~  
22 ~~conference conducted by the Kentucky Department of Education, Division of Learning~~

1 Services. A teacher employed after the fall conference shall complete these six (6) hours of  
2 training during the spring conference of the Council for Exceptional Children; or

3 (b) If the applicant is unable to attend either the fall conference or the spring conference, the  
4 applicant shall complete an additional six (6) clock hours of training conducted or approved by  
5 the Kentucky Department of Education, Division of Learning Services.

6 1. The applicant shall contact the Division of Learning Services to schedule the training.

7 2. The training shall be similar to the topics covered at the conferences.

8 (4) The Kentucky Department of Education shall report to the Education Professional Standards  
9 Board those probationary certified teachers of exceptional children who have not completed the  
10 training requirements established in subsections (2) and (3) of this section by June 30 of each  
11 year for the preceding school year.

12 (5) (2) Application for a probationary certificate for a teacher of exceptional children shall be  
13 **submitted to the EPSB and shall contain the following:** [made on Form CA-19.]

14 **(a) Verification from the employing superintendent that a qualified teacher was not**  
15 **available for the position;**

16 **(b) Evidence of employment in a Kentucky school district or regionally- or nationally**  
17 **accredited nonpublic school in the content area or areas;**

18 **(c) Recommendation from the educator preparation for the grade level and specialization**  
19 **of the probationary certificate for a teacher of exceptional children; and**

20 **(d) Compliance with 16KAR 2:010, Section 3(1).**

21 **(3) The probationary certificate for a teacher of exceptional children shall be issued in**  
22 **accordance with the grade level and specialization as recommended by the educator**

1 **preparation provider and valid for employment consistent with the area of certification being**  
2 **sought through the preparation program.**

3 Section 3. **(1) A candidate shall be eligible for renewal of the probationary certificate for a**  
4 **teacher of exceptional children upon application to the EPSB, compliance with 16 KAR**  
5 **2:010, Section 3(1), and successful completion of the following requirements:**

6 **(a) Evidence of employment in a Kentucky school district or regionally- or nationally**  
7 **accredited nonpublic school in the content area or areas indicated on the initial certificate;**  
8 **and**

9 **(b) Recommendation from the educator preparation provider based on continued**  
10 **enrollment and progress towards the completion of the preparation program.**

11 **(2)** The probationary certificate for teachers of exceptional children may be renewed a  
12 maximum of two (2) times.

13 Section 4. ~~[Requirements for Renewal of a Probationary Certificate for Teachers of Exceptional~~  
14 ~~Children.~~

15 ~~(1) The first renewal of the probationary certificate for teachers of exceptional children shall be~~  
16 ~~for one (1) year based upon:~~

17 ~~(a) Evidence of employment in a Kentucky school district or nonpublic school as a teacher of~~  
18 ~~exceptional children in the area indicated on the initial probationary certificate;~~

19 ~~(b) Completion of at least six (6) semester hours or its equivalent toward the completion of the~~  
20 ~~approved exceptional children educator preparation program; and~~

21 ~~(c) Successful completion of the Kentucky Teacher Internship Program established in 16 KAR~~  
22 ~~7:010. A teacher who has successfully completed the Kentucky Teacher Internship Program~~  
23 ~~prior to issuance of the initial probationary certificate or who is not required to complete the~~

1 ~~internship program under the requirements for out-of-state teachers established in KRS~~  
2 ~~161.030(5) shall not be required to complete the internship program again while serving on the~~  
3 ~~probationary certificate.~~

4 ~~(2) Subsequent one (1) year renewal of the probationary certificate for teachers of exceptional~~  
5 ~~children shall require at least six (6) semester hours or its equivalent of additional credit toward~~  
6 ~~completion of the approved exceptional children educator preparation program.~~

7 ~~—Section 5.]~~ Upon **application to the EPSB, compliance with 16 KAR 2:010, Section 3(1),**  
8 **and** successful completion of all program requirements for the approved exceptional children  
9 educator preparation program, including successful completion of all required assessments  
10 established in 16 KAR 6:010, a professional certificate for teaching exceptional children  
11 established in 16 KAR 2:010 and valid for five (5) years shall be issued.

12 **Section 5**~~[Section 6.]~~ Program requirements for completion of the exceptional children  
13 educator preparation program while serving on the probationary certificate for teachers of  
14 exceptional children shall not include student teaching.

15 [Section 7. Incorporation by Reference.

16 (1) "Form CA-19", 08/15, is incorporated by reference.

17 (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at  
18 the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky  
19 40601, Monday through Friday, 8 a.m. to 4:30 p.m.]

## KENTUCKY DEPARTMENT OF EDUCATION

### STAFF NOTE

#### Action Item:

16 KAR 4:030, Out-of-State Educator Preparation, Amendment

#### Staff Recommendation:

The Education Professional Standards Board (EPSB) should approve the amendments to 16 KAR 4:030.

#### Rationale:

The proposed amendment is necessary to ensure that 16 KAR 4:030 remains in effect. The amendment also updates the regulation to reflect current practices of the EPSB.

#### Action Question:

Should the EPSB approve the proposed amendment to 16 KAR 4:030?

#### Applicable Statute or Regulation:

KRS 13A.3102, KRS 13A.3104, KRS 161.028, KRS 161.030, 16 KAR 4:030

#### History/Background:

**Existing Policy:** KRS 13A.3102(2) provides that “An ordinary administrative regulation with a last effective date before March 1, 2013, shall expire on March 1, 2020, except as provided by the certification process in KRS 13A.3104.” KRS 13A.3104 sets forth the certification process that an agency must follow to avoid the expiration of an administrative regulation. This process requires the agency to review the administrative regulation in its entirety for compliance with current law governing the subject matter of the administrative regulation and file a letter with the regulations compiler prior to the expiration date, stating whether the administrative regulation shall be amended or remain in effect without amendment. If the certification letter states that the administrative regulation will be amended, the EPSB must file an amendment to the administrative regulation within eighteen (18) months of the date the certification letter was filed.

The EPSB certified 16 KAR 4:030 with the intent to amend on September 8, 2022, and must file an amendment to the regulation on or before March 8, 2024. This administrative regulation establishes the certification provisions for applicants with out-of-state educator preparation.

**Summary:** The proposed amendments to 16 KAR 4:030 are made to align with current practices of the EPSB. Section 2 of the regulation is amended to reflect the EPSB’s recognition of multiple national educator preparation accreditors. Section 3 and Section 4 of the regulation are amended to remove the requirement that the applicant possess the out-of-state certificate but requires that they meet the preparation requirements for the out-of-state certificate. The EPSB has consistently approved requests to waive this regulatory provision to allow those who completed an out-of-state preparation program and meet the qualifications for the out-of-state certificate other than taking

that state's certification assessment, to qualify for the Kentucky certificate. Finally, the amendment also strikes language in Section 3 that would add an additional renewal requirement on out-of-state prepared applicants that is inconsistent with the Interstate Teacher Mobility Compact. A copy of the proposed amendment is included for EPSB review.

***Budget Impact:*** There is no budgetary impact.

**Contact Person:**

Cassie Trueblood, Counsel and Policy Advisor  
Office of Educator Licensure and Effectiveness  
(502) 564-4606

Email: [cassie.trueblood@education.ky.gov](mailto:cassie.trueblood@education.ky.gov)

1 EDUCATION AND LABOR CABINET

2 Education Professional Standards Board

3 (Amendment)

4 16 KAR 4:030. Out-of-state educator preparation.

5 RELATES TO: KRS 161.020, 161.028, 161.030, 161.124, 161.126, **KRS 161.135**

6 STATUTORY AUTHORITY: KRS 161.020, 161.028, 161.030

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020 and 161.030 require that a  
8 teacher and other professional school personnel hold a certificate of legal qualifications for the  
9 respective position to be issued upon completion of a program of preparation prescribed by the  
10 Education Professional Standards Board (**EPSB**). KRS 161.028 requires the **EPSB**[Education  
11 Professional Standards Board] to establish the standards for obtaining and maintaining a teaching  
12 certificate. This administrative regulation establishes the certification provisions for applicants  
13 with out-of-state educator preparation **who do not qualify for the Interstate Teacher Mobility**  
14 **Compact**.

15 Section 1. Definition. "Out-of-state educator preparation provider" means an educator  
16 preparation provider located outside of the Commonwealth of Kentucky or an online educator  
17 preparation provider not subject to the licensing requirements of 13 KAR 1:020 that is not  
18 accredited by the **EPSB**.~~[Education Professional Standards Board.]~~

19 Section 2. (1) An applicant for Kentucky teacher or administrative certification whose  
20 professional preparation was completed at an out-of-state educator preparation provider, excluding  
21 providers that are solely online, shall have completed a program of preparation and the curriculum



1 requirements approved by the responsible state education agency for teacher or administrative  
2 certification.

3 (2) An applicant for Kentucky teacher or administrative certification who completes an out-of-  
4 state educator preparation program through a solely online out-of-state educator preparation  
5 provider shall have:

6 (a) Completed a program of preparation that is:

7 1. Accredited or approved, as applicable, by the provider's state of origin;

8 2. Regionally **or nationally** accredited; and

9 3. Accredited by **an educator preparation accreditor approved by the EPSB**~~[the Council~~  
10 ~~for Accreditation of Educator Preparation (CAEP)]~~; and

11 (b) The curriculum requirements approved by the responsible state education agency for teacher  
12 or administrative certification.

13 Section 3. Teacher Certification. (1) An applicant for Kentucky teacher certification whose  
14 professional preparation was completed at an out-of-state educator preparation provider shall:

15 (a) **Meet the degree, academic preparation, and grade point average requirements for**  
16 **issuance of the** ~~[Possess a]~~ teacher license or certificate equivalent to the Kentucky statement  
17 of eligibility from the state, territory, or province where the applicant completed his or her  
18 preparation program;

19 (b) Satisfy the degree, academic preparation, and grade point **average** requirements established  
20 in 16 KAR 2:010;

21 (c) Provide evidence that the out-of-state license or certificate **required**~~[was obtained by]~~  
22 completion of an approved educator preparation program and not based on the completion of a  
23 written or verbal assessment; and

1 (d) Follow the procedures for certificate application established in 16 KAR 2:010.

2 (2) An applicant for Kentucky teacher certification whose professional preparation was  
3 completed at an out-of-state educator preparation provider and who meets the requirements of  
4 Section 2 of this administrative regulation and subsection (1) of this section shall be issued a  
5 Kentucky teaching certificate or statement of eligibility established in 16 KAR 2:010 at the grade  
6 range and content area corresponding to the out-of-state preparation.

7 ~~[(3)-~~

8 ~~(a) Beginning July 1, 2016, in addition to any other certification renewal requirements, an~~  
9 ~~applicant for Kentucky teacher middle school, high school, Grades 5-12, and Grades P-12~~  
10 ~~teacher certification whose professional preparation was completed at an out-of-state educator~~  
11 ~~preparation provider shall, within five (5) years of receiving certification, complete the~~  
12 ~~following:~~

13 ~~1. A three (3) hour content literacy course aligned to the six (6) International Reading~~  
14 ~~Association Standards 2010: Middle and High School Content Classroom Teacher and taught~~  
15 ~~by faculty qualified to deliver literacy instruction; or~~

16 ~~2. Two (2) or more courses aligned to the six (6) International Reading Association Standards~~  
17 ~~2010: Middle and High School Content Classroom Teacher and taught by faculty qualified to~~  
18 ~~deliver literacy instruction.~~

19 ~~(b) The course or courses submitted by an applicant for Kentucky teacher middle school, high~~  
20 ~~school, Grades 5-12, and Grades P-12 teacher certification whose professional preparation was~~  
21 ~~completed at an out-of-state educator preparation provider shall meet the following~~  
22 ~~requirements:~~

1 ~~1. The course or courses, identified in paragraph (a) of this subsection, shall be developed to~~  
2 ~~ensure that each candidate demonstrates the six (6) International Reading Association~~  
3 ~~Standards 2010: Middle and High School Content Classroom Teacher;~~

4 ~~2. The syllabus for each course shall be aligned to the six (6) International Reading~~  
5 ~~Association Standards 2010: Middle and High School Content Classroom Teacher;~~

6 ~~3. The assessments, including any scoring instruments, developed for each course shall be~~  
7 ~~aligned to the six (6) International Reading Association Standards 2010: Middle and High~~  
8 ~~School Content Classroom Teacher to demonstrate the candidate's competency to provide~~  
9 ~~classroom instruction aligned to each standard; and~~

10 ~~4. The faculty assigned to teach each course aligned to demonstrate the six (6) International~~  
11 ~~Reading Association Standards 2010: Middle and High School Content Classroom Teacher~~  
12 ~~shall be qualified to teach a course aligned to the six (6) International Reading Association~~  
13 ~~Standards 2010: Middle and High School Content Classroom Teacher.]~~

14 Section 4. Administrative Certification. (1) An applicant for Kentucky administrative  
15 certification whose professional preparation was completed at an out-of-state educator preparation  
16 provider shall:

17 (a) Meet the degree, academic preparation, and grade point average requirements for  
18 issuance of the [Possess an] administrative license or certificate equivalent to the Kentucky  
19 corresponding statement of eligibility or administrative certificate from the state, territory, or  
20 province where the applicant completed his or her preparation program;

21 (b) Satisfy the degree, academic preparation, and grade point average requirements for the  
22 administrative certificate established in 16 KAR Chapter 3;

1 (c) Provide evidence that the out-of-state license or certificate **required**~~[was obtained by]~~  
2 completion of an approved educator preparation program consisting of a minimum of thirty  
3 (30) post Masters' graduate-level hours in school administration; and

4 (d) Follow the procedures for certificate application established in 16 KAR Chapter 3.

5 (2) An applicant for Kentucky administrative certification whose professional preparation was  
6 completed at an out-of-state educator preparation provider and who meets the requirements of  
7 Section 2 of this administrative regulation and subsection (1) of this section shall be issued a  
8 Kentucky administrative certificate or statement of eligibility established in 16 KAR Chapter 3  
9 corresponding to the out-of-state preparation.

10 (3) An applicant for Kentucky principal certification who was admitted to a principal preparation  
11 program located outside the Commonwealth of Kentucky prior to January 1, 2012 and who  
12 completes the program prior to January 31, 2014 shall be exempt from subsection (1)(c) of this  
13 section.

14 Section 5. (1) An out-of-state applicant shall be subject to the testing and internship  
15 requirements of KRS Chapter 161 and **the corresponding**~~[implementing]~~ administrative  
16 regulations of the **EPSB**~~[Education Professional Standard Board]~~ in KAR Title 16.

17 (2) An out-of-state applicant shall be subject to the certificate issuance, recency, reissuance,  
18 renewal, and rank change provisions of KRS Chapter 161 and KAR Title 16.

19 ~~[Section 6. Incorporation by Reference. (1) "The Standards for Reading Professionals—Revised~~  
20 ~~2010", 2010, is incorporated by reference.~~

21 ~~(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at~~  
22 ~~the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky~~  
23 ~~40601, Monday through Friday, 8:00 a.m. to 4:30 p.m.]~~

**KENTUCKY DEPARTMENT OF EDUCATION**  
**STAFF NOTE**

**Action Item:**

Thomas More University: Approval of Initial Programs

**Staff Recommendation:**

The Education Professional Standards Board (EPSB) should accept the recommendations from the Accreditation Audit Committee (AAC) to approve the initial level preparation programs at Thomas More University.

**Rationale:**

16 KAR 5:010 outlines the role and responsibilities of the AAC. The AAC has followed the regulatory procedures.

**Action Question:**

Should the EPSB grant the Education Preparation Provider (EPP) approval for the initial preparation programs at Thomas More University?

**Applicable Statute or Regulation:**

KRS 161.028, 16 KAR 5:010

**History/Background:**

*Existing Policy:* 16 KAR 5:010 identifies the requirements and processes for EPPs to demonstrate evidence of meeting standards for accreditation and program approval. EPPs may pursue state accreditation or national accreditation from an EPSB approved accreditor. The EPSB has approved the Association for Advancing Quality in Educator Preparation (AAQEP) and the Council for the Accreditation of Educator Preparation (CAEP) as national accreditors for EPPs. All educator preparation programs leading to certification or rank change must be reviewed and approved by the EPSB.

*Summary:* An AAQEP Site Visitors team conducted the on-site visit evaluation of the EPP on September 27-29, 2023.

Under AAQEP guidelines, the site visitors' do not make recommendations on standards met or not met, they corroborate information provided in the self-study and confirm accuracy of data while on site, completing a summary of findings for AAQEP Accreditation Commissioners. AAQEP Accreditation Commission, upon reviewing the accreditation materials and the summary of findings will determine if the Standards were met or not met and will award or not award accreditation.

In accordance with 16 KAR 5:010, an EPP that seeks national accreditation no longer has to concurrently go through state accreditation.

## **AAQEP COMMISSION RECOMMENDATIONS**

**AAQEP STANDARD 1 CANDIDATE/COMPLETER PERFORMANCE:** Met with Observation

Observation: The Commission notes that the program has identified the need to improve candidates' preparation for culturally responsive practice, for working with English learners, and for using data to inform instruction. The program is leveraging relationships with partners in schools to support teachers in developing culturally responsive practices and has the capacity to support candidates as they develop culturally responsive practices. This observation pertains to Aspect 1c, which addresses candidates' preparation for culturally responsive practice.

**AAQEP STANDARD 2 COMPLETER PROFESSIONAL COMPETENCE AND GROWTH:** Met with Observation

Observation: The Commission notes that the program has identified the need to improve candidates' preparation for culturally responsive practice, for working with English learners, and for using data to inform instruction. The program is leveraging relationships with partners in schools to support teachers in developing culturally responsive practices and has the capacity to support candidates as they develop culturally responsive practices. This observation pertains to Aspect 2b, which expects program completers to engage in culturally responsive practices in diverse contexts.

**AAQEP STANDARD 3 QUALITY PROGRAM PRACTICES:** Met

**AAQEP STANDARD 4 PROGRAM ENGAGEMENT IN SYSTEM IMPROVEMENT:** Met with Observation

Observation: The Commission notes that the program has identified the need to improve candidates' preparation for culturally responsive practice, for working with English learners, and for using data to inform instruction. The program is leveraging relationships with partners in schools to support teachers in developing culturally responsive practices and has the capacity to support candidates as they develop culturally responsive practices. This observation pertains to Aspect 4a, which expects the program to engage with local partners to support high-need schools and reduce disparities in educational outcomes.

### **AAQEP ACCREDITATION COMMISSION RECOMMENDATION:**

The AAQEP Accreditation Council met on December 1, 2023, and made the accreditation decision and found all standards were met by the EPP at Thomas More University for the initial programs.

## **ACCREDITATION AUDIT COMMITTEE RECOMMENDATIONS:**

On December 13, 2023, the AAC met and reviewed the initial programs for Thomas More University. 16 KAR 5:010 requires EPPs to submit each of its program review documents for review prior to its on-site accreditation visit. Thomas More University submitted their programs and received temporary approval of all programs pending a successful accreditation.

Pursuant to 16 KAR 5:010, Section 19, the AAC recommends: Approval of the initial level educator preparation programs at Thomas More University.

**Budget Impact:** KDE resources (staff) to facilitate the review and accreditation processes.

### **Groups Consulted and Brief Summary of Responses:**

Content Area Program Reviewers

Program Review Committee

AAQEP Site Visitors

AAC

Pursuant to 16 KAR 5:010, Section 19, the AAC recommends approval of the initial level educator preparation programs at Thomas More University.

### **Contact Person:**

Dr. Melissa Diebel, Consultant

Division of Educator Preparation and Certification

Office of Educator Licensure and Effectiveness

(502) 564-4606

Email: [melissa.diebel@education.ky.gov](mailto:melissa.diebel@education.ky.gov)

**KENTUCKY DEPARTMENT OF EDUCATION**  
**STAFF NOTE**

**Action Item:**

University of Kentucky: Approval of Programs

**Staff Recommendation:**

The Education Professional Standards Board (EPSB) should accept the recommendations from the Accreditation Audit Committee (AAC) to approve the initial and advanced level preparation programs at the University of Kentucky.

**Rationale:**

16 KAR 5:010 outlines the role and responsibilities of the AAC. The AAC has followed the regulatory procedures.

**Action Question:**

Should the EPSB grant the Education Preparation Provider (EPP) approval for the initial and advanced preparation programs at University of Kentucky?

**Applicable Statute or Regulation:**

KRS 161.028, 16 KAR 5:010

**History/Background:**

*Existing Policy:* 16 KAR 5:010 identifies the requirements and processes for EPPs to demonstrate evidence of meeting standards for accreditation and program approval. EPPs may pursue state accreditation or national accreditation from an EPSB approved accreditor. The EPSB has approved the Association for Advancing Quality in Educator Preparation (AAQEP) and the Council for the Accreditation of Educator Preparation (CAEP) as national accreditors for EPPs. All educator preparation programs leading to certification or rank change must be reviewed and approved by the EPSB.

*Summary:* An AAQEP Site Visitors team conducted the on-site visit evaluation of the EPP on September 12-13, 2023.

Under AAQEP guidelines, the site visitors' do not make recommendations on standards met or not met, they corroborate information provided in the self-study and confirm accuracy of data while on site, completing a summary of findings for AAQEP Accreditation Commissioners. AAQEP Accreditation Commission, upon reviewing the accreditation materials and the summary of findings will determine if the Standards were met or not met and will award or not award accreditation.



In the June 2020 meeting, EPSB voted on revisions to the regulation related to the Accreditation and Program Review for EPPs. The regulation states that effective February 1, 2022 an EPP that seeks national accreditation no longer has to concurrently go through state accreditation.

## **AAQEP COMMISSION RECOMMENDATIONS**

**AAQEP STANDARD 1 CANDIDATE/COMPLETER PERFORMANCE:** Met

**AAQEP STANDARD 2 COMPLETER PROFESSIONAL COMPETENCE AND GROWTH:** Met with Comment

Comment: The Commission notes that the program's active collaboration with its stakeholder community is a model that builds candidates' capacity for their own professional engagement and continued growth. This comment pertains to Aspect 2e, which seeks evidence that program completers are able to establish goals for their own professional growth and engage in self-assessment and reflection.

**AAQEP STANDARD 3 QUALITY PROGRAM PRACTICES:** Met with Comment

Comment: The Commission notes that relative to Aspects 3d and 3e, the education program faculty and staff made significant and notable efforts to continue high-quality assessment system development, implementation, and ongoing use for continuous improvement following a significant external event impacting the quality assurance system.

**AAQEP STANDARD 4 PROGRAM ENGAGEMENT IN SYSTEM IMPROVEMENT:** Met with Comment

Comment: The Commission notes that the program's active collaboration with its stakeholder community is a model that builds candidates' capacity for their own professional engagement and continued growth. This comment pertains to Aspect 4a, which requires engaging with partners to support high-need schools and reduce disparities in educational outcomes.

## **AAQEP ACCREDITATION COMMISSION RECOMMENDATION:**

The AAQEP Accreditation Council met on November 17, 2023, and made the accreditation decision and found all standards were met by the EPP at the University of Kentucky for both the initial and advanced programs.

## **ACCREDITATION AUDIT COMMITTEE RECOMMENDATIONS:**

On December 13, 2023, the AAC met and reviewed both initial and advanced programs for the University of Kentucky. 16 KAR 5:010 requires EPPs to submit each of its program review

documents for review prior to its on-site accreditation visit. The University of Kentucky submitted their programs and received temporary approval of all programs pending a successful accreditation.

Pursuant to 16 KAR 5:010, Section 19, the AAC recommends: (1) Approval of the initial and advanced level educator preparation programs at the University of Kentucky.

**Budget Impact:** KDE resources (staff) to facilitate the review and accreditation processes.

**Groups Consulted and Brief Summary of Responses:**

Content Area Program Reviewers

Program Review Committee

AAQEP Site Visitors

AAC

Pursuant to 16 KAR 5:010, Section 19, the AAC recommends: Approval of the initial and advanced level educator preparation programs at the University of Kentucky.

**Contact Person:**

Dr. Melissa Diebel, Consultant

Division of Educator Preparation and Certification

Office of Educator Licensure and Effectiveness

(502) 564-4606

Email: [melissa.diebel@education.ky.gov](mailto:melissa.diebel@education.ky.gov)

## **KENTUCKY DEPARTMENT OF EDUCATION**

### **STAFF NOTE**

#### **Action Item:**

Option 7 Institute Proposal, iteach

#### **Staff Recommendation:**

The Education Professional Standards Board (EPSB) should approve iteach's Option 7 Institute Proposal.

#### **Rationale:**

The Option 7 Institute Proposal submitted by iteach completed a multi-tiered review process by staff from the Office of Educator Licensure and Effectiveness (OELE) and an external review panel. It was determined that the proposal met the requirements of KRS 161.048(8) and the guidelines approved by the EPSB. The reviewers recommended the proposal for approval by the EPSB.

#### **Action Question:**

Should the EPSB approve iteach's Option 7 Institute Proposal?

#### **Applicable Statute or Regulation:**

KRS 161.028, KRS 161.048, 16 KAR 9:100

#### **History/Background:**

*Existing Policy:* KRS 161.048(8) establishes the Option 7 Alternative Route to Certification. This route allows a person in a field other than education to receive a one-year temporary provisional teaching certificate in elementary, middle school, secondary, grades 5-12, or grades P-12. The temporary provisional certificate may be renewed up to two times. A candidate shall possess: a bachelor's degree with a declared academic major in the area in which certification is sought or a graduate degree in a related field; a minimum grade point average of 2.75 on a 4.0 scale or 3.0 on the last thirty hours of credit completed; a passing score on the Graduate Record Exam or the Praxis Core Academic Skills for Educators; and, a passing score on the academic content assessment in the area in which certification is sought. Prior to receiving the temporary provisional certificate or during the first year of the certificate, the candidate shall complete a 240-hour institute, if pursuing elementary certification, or a 180-hour institute if pursuing middle or secondary certification. The providers and the content of the institute shall be approved by the EPSB. In October 2019, the EPSB revised the Guidelines for Submitting an Application to Provide an Alternative Route to Certification Institute. These guidelines require that a minimum of half the requisite institute hours shall be completed prior to issuance of the first temporary provisional certificate, and the remainder of the hours shall be completed prior to issuance or during the first temporary provisional certificate. The guidelines also outline the application for providing an Option 7 institute and encourages applicants who are not currently accredited by the EPSB to demonstrate partnerships with institutions of higher education accredited by the EPSB and school

districts/cooperatives recognized by the Kentucky Department of Education. Following a taskforce review and input, the EPSB amended the guidelines in April 2022 to include recommended measures of efficacy. 16 KAR 9:100 establishes the required elements of the Option 7 route to certification and the application review process.

**Summary:** The submitted program, iteachKENTUCKY, is part of the larger iteachU.S. organization. The following summary and the supplementary materials included in the Board Meeting Materials tab respond to the Board's requests for clarification.

iteach has maintained continuous accreditation by the National Council for Accreditation of Teacher Education (NCATE) / Council for the Accreditation of Educator Preparation (CAEP) since 2012. Most recently, iteach earned full accreditation at the initial licensure-level from CAEP in October 2019 for a seven-year term ending December 31, 2026. The next onsite review is scheduled for spring 2026.

As of January 2024, iteach has 150 active memorandums of understanding with school/district partners in eight states, including extensive district partnerships in the neighboring states of Tennessee (50 district partnerships), Virginia (33 district partnerships), and West Virginia (6 district partnerships). iteachKENTUCKY is committed to establishing partnerships with Kentucky school districts/cooperatives and providing consistent and high-quality clinical experiences in collaboration with candidates' employing districts, in alignment with CAEP Standard 2: Clinical Partnerships and Practice, 16 KAR 9:100, KRS 161.048(8) and the 2022 Guidelines, as approved by the EPSB.

iteach is a nationally accredited educator preparation program provider, petitioning for approval to provide an Option 7 alternative route to certification institute in Kentucky, as established by KRS 161.048(8). While 16 KAR 9:100 and the 2022 Guidelines recommend that petitioning providers who are not already accredited by the EPSB demonstrate partnerships with an institution of higher education accredited by the EPSB, neither the administrative regulations nor the guidelines require that a petitioning provider partner with an existing Kentucky educator preparation program. As an entity dedicated to alternative teacher certification, iteach has invested in the in-house development of a robust educator preparation curriculum that meets state and accreditor standards, and as noted above, has earned full accreditation by CAEP. As a result, iteach can offer a cohesive and peer-reviewed educator preparation program that does not rely on third-party arrangements for the provision of its coursework.

iteach's institute proposal with yellow highlights to indicate all changes made based on the reviews received is included in the Board Meeting Materials tab and requires approval by the EPSB before it may be offered for certification. In accordance with 16 KAR 9:100, Section 2(8) initial approval of an Option 7 program shall not exceed two years.

**Budget Impact:** There is no budgetary impact.

**Groups Consulted and Brief Summary of Responses:**

The program has completed a multi-tiered review process and received a recommendation for approval based on the guidelines approved by the EPSB. OELE staff and an external review team comprised of one individual from an educator preparation provider, one from an educational cooperative and one from a school district have reviewed this program proposal and determined that the program meets the requirements for approval.

**Contact Person:**

Sharon Salsman, Assistant Director  
Division of Educator Preparation and Certification  
Office of Educator Licensure and Effectiveness  
(502) 564-4606  
Email: [sharon.salsman@education.ky.gov](mailto:sharon.salsman@education.ky.gov)

# **KENTUCKY DEPARTMENT OF EDUCATION**

## **STAFF NOTE**

### **Waiver:**

16 KAR 2:120. Request to Waive Emergency Certificate Requirements for Powell County Schools

### **Action Question:**

Should the Education Professional Standards Board (EPSB) approve Powell County's request to waive the grade point average (GPA) requirement for issuance of an emergency certificate?

### **Applicable Statute or Regulation:**

KRS 161.028, KRS 161.100, 16 KAR 2:120

### **History/Background:**

**Existing Policy:** 16 KAR 2:120 establishes the requirements for issuance of an emergency certificate. These requirements include a minimum of a bachelor's degree from a regionally accredited college or university with a cumulative GPA of 2.5 on a 4.0 scale or a 3.0 on a 4.0 scale on the last sixty hours of credit completed.

**Summary:** Powell County Schools has been unsuccessful in finding qualified teachers for an elementary school position. The district has struggled to find qualified teachers for multiple positions. The candidate has been conditionally admitted into a Master of Arts in teaching program with stipulations to increase her GPA. The candidate holds a bachelor's degree in human services. The district is requesting that the EPSB waive the required GPA and issue an emergency certificate for this candidate.

**Budget Impact:** There is no budgetary impact.

### **Contact Person:**

Sharon Salsman, Assistant Director  
Division of Educator Preparation and Certification  
Office of Educator Licensure and Effectiveness  
(502) 564-4606  
Email: [sharon.salsman@education.ky.gov](mailto:sharon.salsman@education.ky.gov)

# **KENTUCKY DEPARTMENT OF EDUCATION**

## **STAFF NOTE**

### **Waiver:**

16 KAR 4:080. Request to Waive Out-of-State Recency Requirement for Kimberly Hayes

### **Action Question:**

Should the Education Professional Standards Board (EPSB) approve the request to waive the out-of-state recency requirement and issue a Kentucky professional certificate for Kimberly Hayes?

### **Applicable Statute or Regulation:**

KRS 161.028, 16 KAR 4:080

### **History/Background:**

*Existing Policy:* 16 KAR 4:080 requires that an out-of-state prepared educator have completed six semester hours of graduate credit within the five years preceding application for certification in Kentucky if their educator preparation program was completed more than five years prior to the application date.

*Summary:* Kimberly Hayes is requesting a waiver of the out-of-state recency regulation. Ms. Hayes has taught in Tennessee for over twenty years, is a Level 5 teacher, and holds a valid Tennessee license. She recently moved to Kentucky and accepted a position at an elementary school. Ms. Hayes completed her teacher preparation program in 2001 and has not completed any graduate credit within the past five years. She states that she plans to take the LETRs by Lexia classes and will have more than six hours, but it is a two-year program and not available to start until the spring. Ms. Hayes requests that the EPSB consider her previous experience from out-of-state to waive the out-of-state recency requirement of six graduate hours and issue her the full five-year Kentucky certificate.

**Budget Impact:** There is no budgetary impact.

### **Contact Person:**

Sharon Salsman, Assistant Director  
Division of Educator Preparation and Certification  
Office of Educator Licensure and Effectiveness  
(502) 564-4606  
Email: [sharon.salsman@education.ky.gov](mailto:sharon.salsman@education.ky.gov)

# **KENTUCKY DEPARTMENT OF EDUCATION**

## **STAFF NOTE**

### **Waiver:**

16 KAR 4:080. Request to Waive Out-of-State Recency Requirement for Stacey Ricketts

### **Action Question:**

Should the Education Professional Standards Board (EPSB) approve the request to waive the out-of-state recency requirement and issue a Kentucky professional certificate for Stacey Ricketts?

### **Applicable Statute or Regulation:**

KRS 161.028, 16 KAR 4:080

### **History/Background:**

***Existing Policy:*** 16 KAR 4:080 requires that an out-of-state prepared educator have completed six semester hours of graduate credit within the five years preceding application for certification in Kentucky if their educator preparation program was completed more than five years prior to the application date.

***Summary:*** Stacey Ricketts is requesting a waiver of the out-of-state recency regulation. After teaching for one year in Indiana, Ms. Ricketts was hired by Jefferson County Public Schools Adult Education, where she taught multiple subjects over thirteen years to hundreds of students. She completed her teacher preparation program in 2003 and passed the Kentucky Praxis exams in Fall 2023. Ms. Ricketts requests that the EPSB consider her previous experience to waive the out-of-state recency requirement of six graduate hours and issue her the full five-year Kentucky certificate.

**Budget Impact:** There is no budgetary impact.

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Sharon Salsman, Assistant Director  
Division of Educator Preparation and Certification  
Office of Educator Licensure and Effectiveness  
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Email: [sharon.salsman@education.ky.gov](mailto:sharon.salsman@education.ky.gov)



## **KENTUCKY DEPARTMENT OF EDUCATION**

### **STAFF NOTE**

#### **Waiver:**

16 KAR 6:010. Request to Waive Ten Year Recency Requirement for Praxis for Tasha Crane

#### **Action Question:**

Should the Education Professional Standards Board (EPSB) approve Jessamine County Schools' request to allow the expired passing assessment scores to qualify for issuance of a certificate?

#### **Applicable Statute or Regulation:**

KRS 161.028, KRS 161.030, 16 KAR 6:010

#### **History/Background:**

***Existing Policy:*** 16 KAR 6:010, Section 4 states “A passing score on an assessment established at the time of administration shall be valid for the purpose of applying for certification for five (5) years from the assessment administration date.” The regulation further provides that an educator who fails to complete the EPSB application for certification within the applicable recency period of the assessment shall retake the assessment. At the April 2023 meeting, the EPSB voted to extend the assessment validity period to ten years.

***Summary:*** Jessamine County Schools submitted a request on behalf of Tasha Crane to waive the ten-year test recency requirement. According to the district, Ms. Crane took the English Language Arts Praxis II in 2011 and completed all the certification requirements in 2013 but the university failed to recommend her for English Language Arts certification. She was recommended and received certification for social studies. Ms. Crane did not realize this issue until this year. Jessamine County Schools and Ms. Crane are asking the EPSB to allow her previous English Language Arts Praxis II score to qualify for issuance of the certificate though it is more than ten years old.

**Budget Impact:** There is no budgetary impact.

#### **Contact Person:**

Sharon Salsman, Assistant Director  
Division of Educator Preparation and Certification  
Office of Educator Licensure and Effectiveness  
(502) 564-4606  
Email: [sharon.salsman@education.ky.gov](mailto:sharon.salsman@education.ky.gov)

# **KENTUCKY DEPARTMENT OF EDUCATION**

## **STAFF NOTE**

### **Waiver:**

16 KAR 5:040. Alternative Student Teaching Placement Request for Lynnzey Blevins

### **Action Question:**

Should the Education Professional Standards Board (EPSB) approve Morehead State University's alternative student teaching placement request for Lynnzey Blevins?

### **Applicable Statute or Regulation:**

KRS 161.028, 16 KAR 5:040

### **History/Background:**

**Existing Policy:** 16 KAR 5:040 Section 5 (4)(d) requires that a candidate pursuing a primary through grade 12 certificate shall have their student teaching balanced between an elementary school placement and a middle/high school placement. Institutions unable to locate a placement aligned with grade level requirements shall submit an alternative placement request to EPSB staff.

**Summary:** Morehead State University student Lynnzey Blevins is currently assigned to a high school art teacher for one of the eight-week placements in the spring 2024 semester. Morehead State University has not been able to secure any options for Lynnzey Blevins' second placement at the elementary level. The elementary art teachers in the Rowan County school district do not currently teach art full-time at that level. For that reason and having exhausted all possibilities, Morehead State University is requesting this waiver for Lynnzey Blevins so she may be placed with a middle school art teacher for the second eight-weeks of her placement in the spring 2024 semester.

**Budget Impact:** There is no budgetary impact.

### **Contact Person:**

Brandon Harrod, Administrative Specialist  
Division of Educator Preparation and Certification  
Office of Educator Licensure and Effectiveness  
(502) 564-4606  
Email: [brandon.harrod@education.ky.gov](mailto:brandon.harrod@education.ky.gov)

**KENTUCKY DEPARTMENT OF EDUCATION**

**STAFF NOTE**

**Waiver:**

16 KAR 5:040. Alternative Student Teaching Placement Request for Grace Douglas

**Action Question:**

Should the Education Professional Standards Board (EPSB) approve Morehead State University's alternative student teaching placement request for Grace Douglas?

**Applicable Statute or Regulation:**

KRS 161.028, 16 KAR 5:040

**History/Background:**

***Existing Policy:*** 16 KAR 5:040 Section 5 (4)(d) requires that a candidate pursuing a primary through grade 12 certificate shall have their student teaching balanced between an elementary school placement and a middle/high school placement. Institutions unable to locate a placement aligned with grade level requirements shall submit an alternative placement request to EPSB staff.

***Summary:*** Morehead State University student Grace Douglas is currently assigned to a high school art teacher for one of the eight-week placements in the spring 2024 semester. Morehead State University has not been able to secure any options for Grace Douglas' second placement at the elementary level. The elementary art teachers in both the Rowan and Bath County school districts do not currently teach art full-time at that level. For that reason and having exhausted all possibilities, Morehead State University is requesting this waiver for Grace Douglas so she may be placed with a middle school art teacher for the second eight weeks of her placement in the spring 2024 semester.

***Budget Impact:*** There is no budgetary impact.

**Contact Person:**

Brandon Harrod, Administrative Specialist  
Division of Educator Preparation and Certification  
Office of Educator Licensure and Effectiveness  
(502) 564-4606  
Email: [brandon.harrod@education.ky.gov](mailto:brandon.harrod@education.ky.gov)

## **KENTUCKY DEPARTMENT OF EDUCATION**

### **STAFF NOTE**

#### **Waiver:**

16 KAR 5:040. Alternative Student Teaching Placement Request for Korryn Ewen

#### **Action Question:**

Should the Education Professional Standards Board (EPSB) approve Morehead State University's alternative student teaching placement request for Korryn Ewen?

#### **Applicable Statute or Regulation:**

KRS 161.028, 16 KAR 5:040

#### **History/Background:**

**Existing Policy:** 16 KAR 5:040 Section 5 (4)(d) requires that a candidate pursuing a primary through grade 12 certificate shall have their student teaching balanced between an elementary school placement and a middle/high school placement. Institutions unable to locate a placement aligned with grade level requirements shall submit an alternative placement request to EPSB staff.

**Summary:** Morehead State University student Korryn Ewen is currently assigned to a high school art teacher for one of the eight-week placements in the spring 2024 semester. Morehead State University has not been able to secure any options for Korryn Ewen's second placement at the elementary level. The elementary art teachers in the Bath County school district do not currently teach art full-time at that level. For that reason and having exhausted all possibilities, Morehead State University is requesting this waiver for Korryn Ewen so they may be placed with a middle school art teacher for the second eight weeks of their placement in the spring 2024 semester.

**Budget Impact:** There is no budgetary impact.

#### **Contact Person:**

Brandon Harrod, Administrative Specialist  
Division of Educator Preparation and Certification  
Office of Educator Licensure and Effectiveness  
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Email: [brandon.harrod@education.ky.gov](mailto:brandon.harrod@education.ky.gov)

# **KENTUCKY DEPARTMENT OF EDUCATION**

## **STAFF NOTE**

### **Waiver:**

16 KAR 5:040. Request to Waive Cooperating Teacher Eligibility Requirements for Kayla Prater

### **Action Question:**

Should the Education Professional Standards Board (EPSB) approve the request from Morehead State University to waive a portion of the cooperating teacher eligibility requirements for Kayla Prater?

### **Applicable Statute or Regulation:**

KRS 161.028, KRS 161.042, 16 KAR 5:040

### **History/Background:**

**Existing Policy:** 16 KAR 5:040, Section 1 (1)(b), requires a Cooperating Teacher to have at least three years of teaching experience as a certified educator.

**Summary:** Morehead State University has requested that the required three years of experience for a cooperating teacher be waived in this case, so that they may place one of their student teachers in Ms. Kayla Prater's classroom in the spring of 2024. At that time, Ms. Prater will have completed two and a half years of the required three years of teaching experience as a certified educator. According to the attached letter of support from Morgan County Schools, Ms. Prater continues to excel in her role as a special education teacher at Morgan County Middle School. She has taken advantage of all professional learnings made available by the district, the Kentucky Educational Cooperative, and the Kentucky Valley Education Cooperative to enhance her ability to serve all students. Over the previous two years, Ms. Prater has accumulated 109 hours of professional learning. Based upon the recommendation by the district, the limited number of available certified learning and behavior disorders teachers at the middle school level and the letter of support for Ms. Prater, Morehead State University submits this waiver request.

**Budget Impact:** There is no budgetary impact.

### **Contact Person:**

Brandon Harrod, Administrative Specialist  
Division of Educator Preparation and Certification  
Office of Educator Licensure and Effectiveness  
(502) 564-4606  
Email: [brandon.harrod@education.ky.gov](mailto:brandon.harrod@education.ky.gov)