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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

EPSB Offices

100 Airport Road, 3rd Floor, Conference Room A, Frankfort, KY 40601

April 28, 2014

Sunday, April 27, 2014

**5:30 PM EDT REVIEW OF EPSB PROCESS FOR POLICIES AND PROCEDURES
EPSB Offices, Conference Room A**

NO BUSINESS WILL BE CONDUCTED

Monday, April 28, 2014

**9:00 AM EDT Call to Order
Swearing In of New Board Member Designee
Roll Call
Open Speak
Recognition of Former Board Member**

Approval of Consent Items

- A. Approval of March 17, 2014, EPSB Minutes (**Pages 1-18**)
- B. Master of Education, Teacher Leader -Midway College
(Dr. Kim Walters-Parker) (**Pages 19-22**)
- C. Director of Pupil Personnel - Asbury University
(Dr. Walters-Parker) (**Pages 23-26**)
- D. Approval of Contract (Mr. Jimmy Adams) (**Pages 27-28**)

Report of the Executive Director

- A. Report from the Kentucky Department of Education
- B. Report from the Council on Postsecondary Education
- C. Introduction of the Education and Workforce Development
Cabinet Secretary, Thomas Zawacki
- D. Legislative Update (Ms. Alicia Sneed)
- E. Strategic Plan Update (Mr. Adams)
- F. Highly Qualified Report (Mr. John Fields)

Report of the Chair

Presentations

Update on the Network to Transform Educator Preparation (NTEP)

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NASDTEC Data Project (Dr. Phillip Rogers)

Information/Discussion Items

- A. 16 KAR 9:080. University Based Alternative Certification Program, Amendment, Notice of Intent (Mr. Fields) **(Pages 29-42)**
- B. EPSB's Determining Probable Cause to Take Disciplinary Action Procedure, Amendment, Notice of Intent (Ms. Sneed) **(Pages 43-46)**
- C. Meeting Agenda Policy, Amendment, Notice of Intent (Ms. Sneed) **(Pages 47-50)**

Action Items

- A. Board Meeting Dates (Ms. Ashley Abshire) **(Pages 51-54)**
- B. Funding for KTIP in 2015 (Ms. Donna Brockman; Mr. Adams) **(Pages 55-56)**
- C. Adoption of the International Reading Association Preparation Standards for Content Classroom Teachers (Dr. Walters-Parker) **(Pages 57-58)**

Waivers

- A. 16 KAR 9:080. University-Based Alternative Certification. Request to Waive Language Pertaining to Observation of Teacher Candidates in a University-Based Alternative Certification Program (Dr. Walters-Parker) **(Pages 59-62)**
- B. 16 KAR 2:120. Emergency Certification and Out-of-Field Teaching. Request to Waive Language Pertaining to Emergency Certification Issuance to the Same Person in any Subsequent Year **(Pages 63-66)**

Board Comments

Following a motion in open session, it is anticipated that the board will move into closed session as provided by KRS 61.810 (1) (c) and (1) (j).

Certification Review and Revocation: Pending Litigation Review

Following review of pending litigation, the board shall move into open session. All decisions will be made in open session.

Adjournment

Next Regular Meeting:
June 23, 2014; EPSB Offices

The actions delineated below were taken in open session of the EPSB at the March 17, 2014, special 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), 100 Airport Road, 3rd Floor, Frankfort, KY 40601

**Education Professional Standards Board (EPSB)
Summary Minutes of the Special Meeting
EPSB Offices, 100 Airport Road, 3rd Floor
Frankfort, Kentucky**

Consent Item A

Call to Order

Chair Cassandra Webb called the meeting to order at approximately 9:00 a.m. EDT.

Swearing In of New Board Designee

Board secretary Ashley Abshire swore in Amanda Ellis, the new designee for the Commissioner of Education. Dr. Ellis then introduced herself to the Board. Dr. Ellis has served as the acting director for the Office of Next Generation Learners at the Kentucky Department on Education since last December and has worked closely with the Professional Growth and Evaluation System initiative over the last four years.

Roll Call

The following Board members were present during the March 17, 2014, EPSB meeting: Brandy Beardsley, Bradley Bielski, Ellen Blevins, Barbara Boyd, Amanda Ellis, Tolya Ellis, Robert King, Marie McMillen, Mary John O’Hair, Michael Ross, Sandy Sinclair-Curry, Anthony Strong, Shannon Treece, Cassandra Webb, and David Whaley. Allen Kennedy and Laura Schneider were absent.

Board’s Mission Statement

Chair Webb reminded the board of its mission statement by reviewing it with the board and audience.

Open Speak

There were no requests for Open Speak.

Approval of Consent Items

Chair Cassandra Webb requested that board members identify any items on the consent agenda which they wished to discuss prior to taking final action. No items were asked to be pulled for further discussion.

2014-014

Motion made by Dr. Bradley Bielski, seconded by Ms. Marie McMillen, to approve the following items on the consent agenda:

Approval of January 27, 2014 EPSB Minutes

Biological Science Grades 8-12 (Bachelor’s Level); Chemistry Grades 8-12 (Bachelor’s Level); Earth Science Grades 8-12 (Bachelor’s Level); Mathematics Grades 8-12 (Bachelor’s Level); Physics Grades 8-12 (Bachelor’s Level), University of Kentucky

Supporting Educator Effectiveness Development (SEED) Grant Contract Approval

Vote: *Unanimous*

Dr. Kim Walters-Parker recognized representatives from the University of Kentucky whose programs were approved.

Report of the Executive Director

Report from the Kentucky Department of Education (KDE)

Dr. Amanda Ellis reported that KDE and EPSB continue working to bring together KTIP and PGES. She said the EPSB has chosen pilot districts to work with PGES next year and KDE staff are working with CIITS to give access to EPPs for a smooth transition. She stated the Commissioner wanted to voice to the Board that he is anxious to move forward with KTIP being reflected in PGES to avoid a dual system, and she asked, on behalf of the Commissioner, that the Board consider allowing those districts that submit their Certified Evaluation Plans to go full PGES next year to pilot the new system. Mr. Brown stated that part of the Board's concern is the certification component of merging the two systems together. He says the Board wants the pilot to be successful and depending on the number of districts in the pilot, more districts may be added. He said there is a concern that too many districts in the pilot could create problems.

Report from the Council on Postsecondary Education (CPE)

President Robert King reported to the Board on recent events at CPE. He stated that John DeAtley now works for the National Center on Education and the Economy. His principal responsibility is to manage the Vanguard Project. April Wood has been hired to replace Mr. DeAtley and will begin April 1. Her experience includes working as a classroom teacher, assistant principal, and being recognized as knowledgeable about policy development. He said he is looking forward to her joining CPE.

President King updated the Board on the Vanguard Project. He said that CPE asked interested parties to submit a pre-proposal which was due around the beginning of March. Four teams submitted pre-proposals which are currently being reviewed. Following the review, it is expected that the reviewers will discuss their observations with the teams and encourage them to continue toward development of final proposals due in May. Those proposals that meet the criteria in May will officially become Vanguard participants and will move forward with addressing challenges the teams will identify for CPE, which may include financial and legislative challenges. Any of the proposals will need to be sustainable long term.

Legislative Update

Ms. Alicia Sneed gave a legislative update to the Board. The session is two thirds of the way completed with 584 house bills filed and 241 senate bills filed. So far only 12 bills have passed both the house and senate. Confirmation hearings for our newest Board members– Tolya Ellis, Mary John O'Hair, Laura Schneider, Shannon Treece, David Whaley – will occur March 27 at 11:30 a.m. in room 171 at the Capitol Annex.

NASDTEC Technology Committee

Deputy Executive Director Jimmy Adams explained to the Board that NASDTEC asked the EPSB to participate in a pilot that NASDTEC believes will assist EPPs and state licensure agencies in locating program completers and verifying employment across state boundaries. Mr.

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Adams said the overall goal of the project is to mitigate an existing problem of EPPs and agencies like the EPSB in being able to follow program completers once graduates leave the state. He said that most of the data needed for the pilot is currently available on the EPSB website. NASDTEC believes this data will assist in meeting CAEP standards 4 and 5, assist with pending US Department of Education requirements of the EPP's on survey program completers and employment confirmation, and confirm employment and licensure from other states faster.

Mr. Adams then explained how the concept is designed to work. Currently NASDTEC is in the process of developing response system software. Once this information is received by pilot states, NASDTEC will ensure the data aligns and that states are able to receive the data. Mr. Adams stated that this is only a test and there is no commitment to continue participation. NASDTEC's goal is to test the system in April and give a presentation at the national NASDTEC conference in June. Some potential concerns of the pilot are the following: 1) Once data is shared, there is no control over how the information is used 2) HB5 which relates to the safety and security of personal information held by public agencies 3) Is this a benefit to EPPs? 4) Will staff be able to utilize the data?

Some EPSB staff expressed concern with the system which include the risks of sharing data and the system may not address CAEP standards 4 and 5.

Board members discussed the benefits and risks of the system. While some believed it could be a benefit to EPPs, the Board did have concern over the risks of sharing the data.

Currently there are three and possibly four states, including Kentucky, that may pilot the system. The annual cost of the system would be the cost to get a SSL certificate for the website.

After lengthy discussion the Board decided to ask NASDTEC to present at the April EPSB meeting and wait to make a decision to pilot the system until such time.

Report of the Chair

Recognition of Lorraine Williams

Chair Cassandra Webb asked for a moment of silence to honor former Board member Lorraine Williams who passed away this past February. Chair Webb expressed her condolences to Ms. Williams' family and said that her passing is a great loss to her family and education.

Appointments

Committee to Review the Evaluation Process of the Executive Director

Chair Webb appointed the following individuals to the Committee to Review the Evaluation Process of the Executive Director: Anthony Strong (chair), Allen Kennedy, Brandy Beardsley, and Ellen Blevins. Ms. Blevins stated that the Evaluation of the Executive Director Committee made observations during the most recent executive director evaluation, felt the process needed improvement and asked the chair to review the process.

Committee Reports

Information/Discussion Items

Adoption of the International Reading Association Preparation Standards for Content Classroom Teachers

Dr. Kim Walters-Parker stated the Literacy Preparation Advisory Committee recommended adoption of the International Reading Association (IRA) Standards for Middle and High School Content Classroom Teachers. IRA is the NCATE/CAEP Specialized Professional Association for reading. The Standards outline specific literacy knowledge, skills, and dispositions for candidates. In addition, they provide examples of evidence that may be used to demonstrate competence. These examples are not intended to demonstrate or assess in their entirety; they are examples only.

Formal adoption of these standards will serve as notice to preparation programs that the IRA Standards for Middle and High School Content Classroom Teachers will be the foundation of regulatory revisions necessary to implement LPAC's recommendations. Dr. Walters-Parker said next the PARC committee will discuss program approval changes as a result of the proposed adoption of the Standards.

Council for the Accreditation of Educator Preparation Standards

Dr. Walters-Parker stated that as the Board moves toward full implementation of CAEP she will keep the Board informed about CAEP news. Below are updates to CAEP that Dr. Walters-Parker discussed with the Board:

- * CAEP is using the Accreditation Information Management System (AIMS). The EPSB is working to see how to build a system that can work with AIMS.
- * CAEP has taken on a new role with elementary education. The ACEI Board of Directors has decided that ACEI will no longer be able to serve as a SPA for CAEP. ACEI will continue to work with CAEP over an 18 month time span. For the next three submission cycles, ACEI will continue to partner with CAEP on determining National Recognition for elementary programs while CAEP looks to building its own standards for elementary education.
- *CAEP evidence guides are now available.

Disciplinary Process Review

Ms. Alicia Sneed reviewed the current EPSB disciplinary model with the Board. She said that a recommendation was given to the Board to add a subcommittee to review complaints in a 2009 LRC report. The Board at that time decided not to add a subcommittee but due to the recent strategic planning committee goal for efficiency in the disciplinary review system, Ms. Sneed proposed two disciplinary models to the Board.

The first disciplinary model that Ms. Sneed proposed to the Board was the model that included a subcommittee to review complaints. With this model individuals would be given notice that a complaint was received by the EPSB and have an opportunity to submit a rebuttal to the Board. Once, and if, a rebuttal was received, EPSB legal staff would prepare the complaint for committee review. Then the committee would decide whether or not to initiate a case. If the case was voted on to be heard during the subcommittee review, then an investigation would start. The subcommittee decisions would go to the Board for affirmation. The potential benefits of this model are the following:

- * Educators would have notice of all reports and complaints filed against them so they would be aware of potential problems or perceived problems.
- * The Board (or subcommittee) would decide the types of issues to be investigated from the beginning, thus, eliminating staff time to investigate all complaints.

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* Every complaint would be reviewed by Board members providing, at least, the subcommittee a better understanding of the common public complaints against teachers.

The potential detriments of this model are the following:

* Every complaint or report would be sent to the educator to give him or her a chance to respond prior to any Board review.

* The subcommittee would have to meet regularly to ensure egregious cases were handled swiftly, and this would mean removing teacher members of the committee from their classrooms for additional time for meetings and meeting preparations.

* A subcommittee may not reflect the diverse backgrounds and positions of all the Board members.

* An additional step would slow down the process and add to the cost of disciplinary prosecutions.

The second model that Ms. Sneed discussed with the Board included a subcommittee review to make a full recommendation to the Board. This model would be similar to the current process, but instead of meeting as a group to make a decision on a case the subcommittee would meet prior to the Board meeting and make recommendations. Then during closed session the subcommittee would give its recommendation to the full Board and the full Board would affirm.

The potential benefits of this model are below:

* The subcommittee could decide what to do prior to the actual meeting, theoretically shortening the time for full Board discussion.

* The subcommittee could identify any additional information needed for a final decision prior to the Board meeting, thus, ending the need to defer many cases for more information.

The potential detriments of this model are below:

* It would require more meetings and more time away from school duties; although, this subcommittee would only need to meet prior to Board meetings.

* The cases still have to be reviewed for final action by the Board.

* Board members not on the committee may not feel the need to review disciplinary cases, meaning the subcommittee may make all decisions on disciplinary matters. Therefore, the diverse opinions of the various members of the Board may be lost.

* An additional step would slow down the process and add to the cost of disciplinary prosecutions.

Ms. Cassandra Webb said the purpose of reviewing other proposed disciplinary models is to be as efficient, fair, and equitable to the teaching profession as possible with student needs being the number one concern. Chair Webb stated that the Board has one point of screening which is Ms. Sneed who receives feedback from the Board so the idea of committee screening came from that point of reference.

Ms. Marie McMillen said that she is concerned that currently there are 525 pending cases.

President King said he believes that the role of this Board is to serve as a judge of educator complaints, and the EPSB depends on staff to investigate complaints and make preliminary

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assessments to determine if a case is worthy of Board attention. He said in lieu of creating a subcommittee, he thinks if Ms. Sneed had clear guidelines on how to exercise her discretion that she could bring cases to the Board that merit attention and report on those that did not. If a Board member has objections he/she could ask Ms. Sneed to review the complaint again or place it on the disciplinary docket. Ms. McMillen said it is difficult for Ms. Sneed to devote her full-time attention to the cases and a subcommittee would be a way the Board could assist her.

Ms. Sneed suggested adding a new element to the definition of dismissed as either dismissed, dismissed – remediated, or dismissed – trained. With this new disciplinary decision she believes the Board can expedite cases where the case can be resolved with professional development.

Ms. McMillen said she likes the three types of dismissal so the Board can track data.

Chair Webb said she wants the disciplinary process placed in regulation.

Ms. Brandy Beardsley said she does not want to lose the different board member perspectives during the disciplinary process.

For the April meeting, Chair Webb stated staff may bring back an information item on the subcommittee models and three dismissal options. The Board also asked Ms. Sneed to provide them with the EPSB policies and statutes on the disciplinary process.

Discussion to Establish Consistent EPSB Meeting Schedule

Mr. Jimmy Adams presented a proposed meeting schedule to the Board. The proposed meeting schedule suggested EPSB meetings be held on the second Monday of even months. This would avoid most holidays and coincide with the months of KBE meetings. Meeting dates that revolved near the testing window and beginning of school year were discussed. This item will be brought before the Board at the April EPSB meeting for final action.

Action Items

Strategic Plan

Mr. Jimmy Adams reviewed minor wording changes to the Strategic Plan with the Board. Then the Board reviewed additional recommendations from the Board chair.

These recommendations pertained to Organization Efficiency. The three strategies proposed were for policy/procedure, committee structure, and continuous improvement. Vice-chair, Anthony Strong, stated that he felt policy review should be a job duty for Executive Director Brown.

President King stated that he commended the process of recognizing change and believes examining policies on a regular basis would be valuable.

Dr. Mary John O’Hair asked that under Goal 1, Strategy 6, the wording be changed from Vanguard Pilot to Pilot Partnerships.

The Board will be updated on a regular basis during Board meetings on the progress of the Strategic Plan.

2014-015

Motion made by Ms. McMillen, seconded by Mr. Mike Ross, to approve the Strategic Plan as presented with the board chair recommendations added as goal 4.

Vote: *Unanimous*

16 KAR 2:010. Kentucky Teaching Certificates, Amendment, Final Action

Ms. Alicia Sneed said the current proposed amendments require that background checks for initial certification be performed within six (6) months of application. The purpose for allowing a six (6) month period was so recent graduates who have just completed their student teaching semester would only have to pay for the state and federal background checks once. Educator Preparation Programs (EPPs) have asked the staff to have the Board review this time line because some of the EPPs have the student teachers complete their background checks earlier than the month prior to student teaching. Due to placement issues with the schools and the time required to get the background checks back from KSP and the FBI, EPPs are requesting the Board consider a longer period of time prior to application, up to twelve (12) months. Board discussion ensued.

2014-016

Motion made by Dr. David Whaley, seconded by Ms. McMillen, to modify and approve the proposed amendments to 16 KAR 2:010 and require the background checks for initial certification be performed within twelve (12) months of application.

Vote: *Unanimous*

16 KAR 4:060. Certificate Renewals and Successful Teaching Certificates, Amendment, Final Action

2014-017

Motion made by Ms. Ellen Blevins, seconded by Ms. Shannon Treece, to approve the amendments to 16 KAR 4:060.

Vote: *Unanimous*

Waivers

16 KAR 5:040. Admission, Placement, and Supervision in Student Teaching. Request to Waive the Student Teacher Placement Requirements – Dr. Sam Evans on behalf of Ms. Lauren Kimble

2014-018

Motion made by Dr. Mary John O’Hair, seconded by Ms. Sandy Sinclair-Curry, to approve the waiver request for Dr. Sam Evans on behalf of Ms. Lauren Kimble.

Vote: *Unanimous*

16 KAR 5:040. Admission, Placement, and Supervision in Student Teaching. Request to Waive Language Pertaining to Seventy (70) Full Days, or Its Equivalent, of Student Teaching

Dr. Walters-Parker explained to the Board that inclement weather in the spring 2014 semester has forced school closings, delayed start times, and necessitated early dismissals in schools where student teachers in Kentucky educator preparation programs are assigned for their required 70 days of student teaching. Although student teachers and their programs have made good faith efforts to complete as many days as possible, some candidates’ assigned schools will not be open enough days for the candidates to complete 70 days of student teaching before the close of the higher education institution’s semester. Board member discussion ensued. The Board was concerned that some student teachers would miss 30-40% of their student teaching

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experience. Dr. Walters-Parker stated that EPSB staff will try to determine how to address this situation for the future.

2014-019

Motion made by Ms. Blevins, seconded by Mr. Ross, to approve the waiver request for 16 KAR 5:040 pertaining to the requirement of seventy full days or its equivalent of student teaching.

Vote: Yes – 13

No – 2 (Bob King and Marie McMillen)

16 KAR 3:050. Request to waive the completion date of a principal preparation program, Dr. David Whaley on behalf of Matthew Melton

2014-020

Motion made by Mr. Ross, seconded by Ms. Sinclair-Curry, to approve the waiver request for Dr. David Whaley on behalf of Matthew Melton.

Vote: Unanimous

Board Comments

There were no further board comments.

DISCIPLINARY MATTERS: MINUTES OF CASE REVIEW March 17, 2014

Motion made by Dr. Mary John O’Hair, seconded by Ms. Marie McMillen, to go into closed session for the purpose of discussing proposed or pending litigation in accordance with KRS 61.810(1) (c) & (j).

Vote: Unanimous

Motion made by Ms. Sandra Sinclair-Curry, seconded by Ms. McMillen, to return to open session.

Vote: Unanimous

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

Barbara Boyd, Cassandra Webb, Michael Ross, Anthony Strong, Ellen Blevins, David Whaley, Marie McMillen, Mary John O’Hair, Brandy Beardsley, Tolya Ellis, Amanda Ellis, and Shannon Treece.

Attorneys present were Alicia A. Sneed, Cassandra Trueblood, Gary Stephens, and Angela Evans.

Initial Case Review

<u>Case Number</u>	<u>Decision</u>
1311802	Defer for training
1311790	Admonish
1312866	Defer for training
1312887	Hear
1312897	Hear
1312893	Hear
1311855	Dismissed
1311857	Dismissed
1311853	Admonish
1311806	Hear
14014	Admonish
1311838	Hear
1312877	Hear
1311832	Defer for training
1311796	Admonish
1311792	Hear
1311836	Hear
1311777	Hear
1311779	Admonish
1311762	Hear
1311756	Admonish
1311817	Hear
1311788	Hear
1309685	Hear
1311823	Hear
1312870	Hear
1312883	Hear
1312895	Hear
1309687	Hear
1311769	Hear
1311830	Hear
1311800	Hear
1311794	Admonish
1311840	Dismissed
1311760	Hear
1311821	Defer for training
1312889	Dismissed
1312904	Admonish (<i>Ms. T. Ellis recused</i>)
1311754	Dismissed
1310733	Hear
1311784	Hear
1312864	Hear
1004244	Dismissed

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1204221	Dismissed
1211739	Dismissed
13016	Dismissed
110259	Dismissed
10014	Dismissed
1306449	Defer for training
1307551	Dismissed
0912638	Dismissed

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
1436	Approve
1428	Approve
1442	Approve
1441	Approve
1451	Approve
1457	Approve
1463	Deny
1462	Deny
1476	Approve
1483	Approve
1492	Deny
1444	Deny
1493	Approve
1437	Approve
1443	Approve
131117	Approve
1456	Approve
1459	Approve

<u>Case Number</u>	<u>Decision</u>
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1211733 (Juan Vega-Calderon)	Accept Agreed Order admonishing Respondent for using physical force against a student and for using profanity in his classroom. A teacher in the Commonwealth of Kentucky has a duty to protect the health and safety of students and must remain aware of the line between appropriate and inappropriate physical interaction when interacting with a student. An educator should only touch students when it is necessary to protect the student, to protect the educator and/or others from harm. The Board reminds Respondent that as a teacher, he has a duty to maintain the dignity and integrity of the profession and to
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set a positive example for his students. The Board will not tolerate any further incidents of misconduct from Respondent.

This settlement agreement is expressly conditioned upon the following:

1. Respondent shall complete a course of professional development/training in the area of classroom management.
2. Respondent shall complete a course of professional development/training in the area of anger management.

All training must be approved by the Board. Respondent must provide written proof to the Board that he has completed the training by February 1, 2014. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to meet any of the requirements listed above, his certificate shall be automatically suspended until Respondent provides written proof to the Board that he has completed the conditions. Respondent 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*

0912681 (Marlene Thomasson) Accept Agreed Order admonishing Respondent for using inappropriate discipline when dealing with student misbehavior. As an educator, Respondent has a duty to treat all students with dignity and respect. An educator also has a duty to protect the health, safety, and emotional well-being of students. The Board will tolerate no further acts of misconduct by Respondent.

Respondent has provided proof that she has completed six hours of professional development in safe crisis management and a university course in classroom management.

Vote: *Unanimous*

1309645 (Paul Vaughn) Accept Agreed Order which states that Respondent has no plans to return to the classroom and agrees that he shall not seek teacher certification, including emergency substitute teaching, at any point in the future.

Vote: *Unanimous*

1309671 (Joann Owens) Accept Agreed Order revoking Respondent's certificate for a period of three (3) years from the date of acceptance of this agreement by the Board. Respondent shall immediately surrender the original and all copies of Respondent's certificate to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort,

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Kentucky 40601. Reissuance of this certificate is conditioned upon the following:

1. Respondent shall present written evidence to the Board that she has completed twelve (12) hours of professional development/training, approved by the Board and at her own expense, in ethics and boundary issues. Respondent has provided proof of this condition.
2. Respondent shall present written evidence to the Board that she has undergone a psychological evaluation by a Kentucky licensed therapeutic and/or psychological counselor approved by the Board and is fit to return to the classroom and capable of performing her duties with reasonable skill, competence and safety. Any expense incurred in satisfying this condition is to be paid by Respondent.
3. Respondent shall complete all requirements of the diversion agreement in Grant Circuit Case Number 13-CR-00137.

Should Respondent fail to satisfy any of these conditions, Respondent's certificate shall remain revoked until all conditions are met.

Upon reissuance, Respondent's certificate shall be subject to the following probationary conditions for the life of the certificate:

1. Respondent shall not be convicted of nor enter a guilty or no contest plea to any misdemeanor or felony charges.
2. Respondent shall submit current national and state criminal background reports to the Board with any application for renewal of certification(s) and/or for additional certification(s). Any expense in obtaining these reports shall be paid by Respondent.
3. Respondent shall not be disciplined by any school district for conduct in violation of KRS 161.120 and/or 16 KAR 1:020. Discipline shall be defined as a reprimand, admonishment, suspension, or termination upheld by either the tribunal or arbitration process, if requested.

Should Respondent fail to comply with any of these probationary conditions, the Board shall automatically suspend Respondent's certificate for a period of two (2) years and may seek additional sanctions pursuant to KRS 161.120.

Vote: *Unanimous*

1108581 (Susan Wills)

Accept Agreed Order dismissing Agency Case Number 1108581. Prior to returning to any position of employment that requires teaching certification, Respondent shall submit the following to the Board:

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1. Written proof of completion of six (6) hours of professional development/training, approved by the Board and at her own expense, in effective classroom management techniques ; and

2. Documentation that she has undergone a comprehensive assessment by a physician, licensed in Kentucky and approved by the Board, and is fit to perform her duties as an educator. Respondent shall bear the cost of satisfying this condition.

Should Respondent use her teaching certificate without first satisfying both of these conditions, her certificate shall be automatically suspended and remain so until all conditions are met and potentially face additional sanctions for failure to comply with this Order.

Vote: *Unanimous*

1302149 (Adam Hunter)

Accept Agreed Order which states that Respondent's certificate is expired and that Respondent shall neither apply for nor be issued any teaching, administrative, or emergency certificate in the Commonwealth of Kentucky at any time in the future.

Vote: *Unanimous*

1112955 (Billy Griffin)

Accept Agreed Order admonishing Respondent for exhibiting a lack of professional judgment in his interactions with students. As a certified educator, Respondent must strive to uphold the responsibilities of his profession by maintaining a positive learning environment and by treating each student with dignity and respect. The Board will not tolerate any further acts of misconduct by Respondent.

Respondent's certificate, including any and all endorsements, shall be subject to the following probationary conditions for a period of three (3) years from the date the Board accepts this Agreed Order:

1. On or before July 1, 2014, Respondent shall provide written proof to the Board that he has completed twelve (12) hours of professional development or training, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to comply with the requirements of this paragraph on or before July 1, 2014, Respondent's certificate, and any future endorsements or new areas of certification, shall be automatically suspended until

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Respondent submits the required written proof to the Board.

2. On or before September 1, 2014, Respondent shall provide written proof to the Board that he has completed a course, as approved by the Board, on sexual harassment awareness in the workplace. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to comply with the requirements of this paragraph on or before September 1, 2014, Respondent's certificate, and any future endorsements or new areas of certification, shall be automatically suspended until Respondent submits the required written proof to the Board.

3. For the entirety of the probationary period, Respondent shall receive no disciplinary action involving inappropriate interactions with students. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process. If Respondent fails to comply with the requirements of this paragraph, Respondent's certificate, and any future endorsements or new areas of certification, shall be automatically suspended for a period of one (1) year.

Respondent is aware that should he violate KRS 161.120, either during or following this three (3) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *11-1 (Ms. McMillen dissented)*

1103142 (Matt Mercer)

Accept Agreed Order ordering Respondent to provide written proof to the Board that he has successfully completed twelve (12) hours of professional development or training, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel, which shall include a component in student confidentiality. Any expense incurred for said training shall be paid by Respondent.

Respondent agrees that should he fail to complete the required training on or before July 1, 2014, his certificate, and any future endorsements or new areas of certification, shall be automatically suspended until such training is completed and the appropriate written proof is provided to the Board.

Vote: *Unanimous*

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131211 (Tierra Hargis)

Accept Agreed Order which states that Respondent shall be issued a Kentucky teaching certificate upon providing proof that she has met the academic and testing requirements necessary for issuance of a certificate and upon providing proof that she has complied with the following condition:

Prior to being issued any teaching and/or administrative certification in the Commonwealth of Kentucky, Respondent shall provide written proof to the Board that she has completed a course, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense required for said training shall be paid by Respondent.

In order to maintain or obtain any certificate in the future, Respondent shall comply with the following:

1. Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. Failure to comply with this condition will result in Respondent's certificate being automatically suspended for further action by the Board.

2. Respondent shall submit a current criminal background check, as prepared by the Administrative Office of the Courts, to the Board with any application for renewal of her certification(s) and/or for additional certification(s). Any expense for the criminal background check shall be paid by Respondent. Failure to comply with this condition will result in the denial of all applications for renewal and/or additional certification(s) submitted by Respondent or on her behalf.

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

Vote: *Unanimous*

1310722 (Robin Black)

Accept Agreed Order which states that Respondent voluntarily, knowingly, and intelligently surrenders her teaching certificate and agrees to not apply for, nor be issued, a teaching or administrative certificate in the Commonwealth of Kentucky at any time in the future. Upon the acceptance of this agreement by the Board, Black shall immediately surrender the original and all copies of her certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

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1425 (Dylan Rasch)

Accept Agreed Order which states that upon acceptance of this agreement by the Board, Respondent 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 has completed the following:

1. Respondent shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall present written evidence to the Board that he has complied with the assessment process. Any expense for the assessment and written reports shall be paid by Respondent.

2. Respondent shall submit written proof to the Board that he has completed a course on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense required for said training shall be paid by Respondent.

Any and all certificates issued to Respondent shall be subject to the following conditions:

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

2. Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) involving the use or possession of alcohol. If Respondent is convicted of, or enters a guilty or no contest plea, to any criminal charge involving the use or possession of alcohol, he shall submit this information to the Board, in writing, within thirty (30) days. Failure to comply with this condition will result in Respondent's certificate being automatically suspended pending Board review and disposition.

3. Respondent shall submit a copy of his current criminal record, as prepared by the Administrative Office of the Courts, with any application for renewal of his certification(s) and/or for additional certification(s). Any expense required to satisfy this condition shall be paid by Respondent. Failure to comply with this condition will result in the denial of all applications for renewal and/or

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additional certification(s) submitted by Respondent or on his behalf.

Vote: *Unanimous*

Motion made by Ms. McMillen, seconded by Dr. O'Hair, to adjourn the meeting.

Vote: *Unanimous*

Meeting adjourned at 2:30 p.m.

Next Meeting: **April 28, 2014**
 9:00 AM
 EPSB Board Room
 Frankfort, Kentucky

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Consent Item B

Action Item:

Midway College: Master of Education - Teacher Leader

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.048
16 KAR 5:010, Section 12

Applicable Goal:

Goal 1: Every approved educator preparation program meets or exceeds all accreditation standards and prepares knowledgeable, capable teachers and administrators who demonstrate effectiveness in helping all students reach educational achievement.

Issue:

Should the EPSB approve the Master of Education: Teacher Leader program for Midway College?

Background:

After several years in discussion and with the assistance of numerous P-16 educators across the state, the Education Professional Standards Board (EPSB) appointed committees to address how Kentucky could redesign the way institutions educate experienced teachers and school leaders. The Master's Redesign Committee was charged with developing programs for rank change so that they are not only concerned with the transmission of knowledge but also with involvement in the processes by which knowledge is attained. The new programs are envisioned as representing current best practices, focusing on how educators learn while engaging them in intellectual discourse. The redesigned master's is intended to develop teacher leaders through research-based practices, district partnerships and collaboration, mixed delivery methods, clinical experiences, and job-embedded professional experiences. A representative group of P-12 practitioners, administrators, and education leaders of the Master's Redesign Committee was appointed to serve on the Master's Review Committee.

The Teacher Education Program at Midway College has submitted a proposal that addresses all the components required by regulation and the program guidelines as intended by the work of the Master's Redesign Committee. The program is based on a constructivist, multicultural approach. The theme, *Teachers: Professional Leaders Making a Difference*, guides the curriculum, instruction, and assessment. Candidates progress through three checkpoints (program entry, midpoint, program exit) that use multiple assessments to provide feedback on candidate and program's performance. College and Career Readiness Goals are incorporated through coursework and job-embedded experiences. Candidates have opportunities to identify, develop plans to address, and reflect on the following four key strategies to promote college and career readiness and degree completion: (a) Accelerated Learning Opportunities, (b) Secondary Intervention Programs, (c) College and Career Readiness Advising, and (d) Postsecondary College Persistence and Degree Completion. These goals are embedded into the program to ensure that candidates are prepared for assisting students build capacity to become good consumers. The documents related to the program proposal are available on the EPSB secured website.

Groups/Persons Consulted:

Master's Review Committee

Alternative Actions:

1. Approve the request for the Master of Education: Teacher Leader program for Midway College.
2. Modify and approve the request for the Master of Education: Teacher Leader program for Midway College.
3. Do not approve the request for the Master of Education: Teacher Leader program for Midway College.

Committee Recommendation:

Alternative 1

Rationale:

The Master's Review Committee recommends approval for the Master of Education: Teacher Leader program for Midway College.

Contact Person:

Dr. Kim Walters-Parker, Director
Division of Educator Preparation
(502) 564-4606
E-mail: Kim.Walters-Parker@ky.gov

Date:

April 28, 2014

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16 KAR 5:010. Standards for accreditation of educator preparation units and approval of programs.

RELATES TO: KRS 161.028, 161.030, 164.945, 164.946, 164.947, 20 U.S.C. 1021-1022h

STATUTORY AUTHORITY: KRS 161.028, 161.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1) authorizes the Education Professional Standards Board to establish standards and requirements for obtaining and maintaining a teaching certificate and for programs of preparation for teachers and other professional school personnel. KRS 161.030(1) requires all certificates issued under KRS 161.010 to 161.126 to be issued in accordance with the administrative regulations of the board. This administrative regulation establishes the standards for accreditation of an educator preparation unit and approval of a program to prepare an educator.

Section 12. Teacher Leader Master's Programs and Planned Fifth-Year Programs for Rank II. (1) All master's programs for rank change or planned fifth-year program for Rank II approved or accredited by the EPSB prior to May 31, 2008 shall no longer be approved or accredited as of December 31, 2010.

(a) Master's programs for initial certification shall be exempt from the requirements of this section.

(b) A master's program or planned fifth-year program for Rank II approved by the EPSB prior to May 31, 2008 shall cease admitting new candidates after December 31, 2010.

(c) Candidates admitted to a master's program or planned fifth-year program for Rank II approved by the EPSB prior to May 31, 2008 shall complete the program by January 31, 2013.

(d) An institution of higher learning with a master's program or a planned fifth-year program for Rank II approved by the EPSB prior to May 31, 2008 may submit a redesigned program for approval pursuant to the requirements of subsection (2) of this section beginning May 31, 2008.

(e) An institution may become operational beginning January 1, 2009, if the institution:

1. Submits a redesigned master's program or a planned fifth-year program for Rank II for review pursuant to the requirements of subsection (2) of this section; and

2. Receives approval of the redesigned program by the EPSB pursuant to Section 22 of this administrative regulation.

(f) 1. The EPSB shall appoint a Master's Redesign Review Committee to conduct reviews of redesigned master's programs and planned fifth-year programs for Rank II submitted for approval after May 31, 2008.

2. A master's program or a planned fifth-year program for Rank II submitted for approval after May 31, 2008 shall not be reviewed by the Continuous Assessment Review Committee, Content Program Review Committee, or the Reading Committee prior to presentation to the EPSB pursuant to Section 22(2) of this administrative regulation, but shall be reviewed by the Master's Redesign Review Committee.

3.a. After review of a master's program or planned fifth-year program for Rank II, the Master's Redesign Review Committee shall issue one (1) of the following recommendations to the Educational Professional Standards Board:

i. Approval;

ii. Approval with conditions; or

iii. Denial of approval.

b. The EPSB shall consider recommendations from staff and the Master's Redesign Review Committee and shall issue a decision pursuant to Section 22(4) of this administrative regulation.

(2) Beginning May 31, 2008, the educator preparation unit shall prepare and submit to the EPSB for each separate master's program or planned fifth-year program for Rank II for which the institution is seeking approval a concise description which shall provide the following information:

(a) Program design components which shall include the following descriptions and documentation of:

1. The unit's plan to collaborate with school districts to design courses, professional development, and job-embedded professional experiences that involve teachers at the elementary, middle, and secondary levels;

2. The unit's collaboration plan with the institution's Arts and Science faculty to meet the academic and course accessibility needs of candidates;

3. The unit's process to individualize a program to meet the candidate's professional growth or improvement plan;

4. The unit's method to incorporate interpretation and analysis of annual P-12 student achievement data into the program; and

5. The institution's plan to facilitate direct service to the collaborating school districts by education faculty members;

(b) Program curriculum that shall include core component courses designed to prepare candidates to:

1. Be leaders in their schools and districts;

2. Evaluate high-quality research on student learning and college readiness;

3. Deliver differentiated instruction for P-12 students based on continuous assessment of student learning and classroom management;

4. Gain expertise in content knowledge, as applicable;

5. Incorporate reflections that inform best practice in preparing P-12 students for postsecondary opportunities;

6. Support P-12 student achievement in diverse settings;

7. Enhance instructional design utilizing the Program of Studies, Core Content for Assessment, and college readiness standards;

8. Provide evidence of candidate mastery of Kentucky Teacher Standards utilizing advanced level performances and Specialized Professional Associations (SPA) Standards if applicable; and

9. Design and conduct professionally relevant research projects; and

(c) The unit's continuous assessment plan that includes, in addition to the requirements of Section 11(2) of this administrative regulation:

1. Instruments to document and evaluate candidate ability to demonstrate impact on P-12 student learning;

2. Clinical experiences and performance activities; and

3. A description of a culminating performance-based assessment.

(3)(a) A master's program for rank change approved pursuant to this section shall be known as a Teacher Leader Master's Program.

(b) Upon completion of a Teacher Leader Master's Program and recommendation of the institution, a candidate may apply to the EPSB for a Teacher Leader endorsement.

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- (c)1. An institution with an approved Teacher Leader Master's Program may establish an endorsement program of teacher leadership coursework for any candidate who received a Master's degree at an out of state institution or who received a master's degree from a Kentucky program approved prior to May 31, 2008.
2. Upon completion of the teacher leadership course work and recommendation of the institution, a candidate who has received a master's degree at an out of state institution or a master's degree from a Kentucky program approved prior to May 31, 2008, may apply to the EPSB for a Teacher Leader endorsement.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Consent Item C

Action Item:

Asbury University: Director of Pupil Personnel (Level I and II)

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.048

16 KAR 5:010, Section 12

Applicable Goal:

Goal 1: Every approved educator preparation program meets or exceeds all accreditation standards and prepares knowledgeable, capable teachers and administrators who demonstrate effectiveness in helping all students reach educational achievement.

Issue:

Should the EPSB approve the Director of Pupil Personnel program for Asbury University?

Background:

The graduate education program in Director of Pupil Personnel (DPP) certification offers a 30-hour program for Level I licensure, qualifying the candidate for Rank 1. Multiple courses within this program emphasize differentiated curriculum development and student support, assessment and data analysis, organizational structures, school law, and a focus on school improvement meeting the holistic needs of students. For Level II certification, the focus (6 hours) will be on a comprehensive practicum experience with a current DPP. Completing Level I and Level II qualifies the candidate for the Ed.S. degree. Clinical experiences focus on the skills needed to serve as an effective student-centered DPP. Partnerships with P-12 educators assist in program design and delivery to provide a high level of authenticity to the program. All classroom and clinical experiences are guided by the graduate education unit's theme of preparing *Facilitators of Student Success*.

The Continuous Assessment Model for the DPP program includes a checkpoint gating system that serves as the mechanism for evaluating candidates' competence levels compared to the prescribed Kentucky Educational Leadership Standards. All courses, portfolio products, clinical experiences, and performance tasks are linked to standards identifying what effective, experienced professionals in leadership should know and be able to do. Level I is comprised of 10 courses and prepares candidates for Kentucky's Level I certification. For Level I, there are two checkpoints. Checkpoint 1 (Gate 7) is admission into the program and includes a selection committee made up of district and university faculty who select candidates based on clearly defined criteria. Checkpoint 2 (Gate 8) is the completion of Level I preparation requirements including a candidate portfolio documenting performance on project-based assessments and presentation of the research Capstone project. At the third checkpoint (Gate 9) candidates complete Level II coursework which includes a comprehensive practicum experience.

Groups/Persons Consulted:

Content Area Program Reviewers
Reading Committee

Alternative Actions:

1. Approve the request for the Director of Pupil Personnel program for Asbury University.
2. Modify and approve the request for the Director of Pupil Personnel program for Asbury University.
3. Do not approve the request for the Director of Pupil Personnel program for Asbury University.

Committee Recommendation:

Alternative 1

Rationale:

The proposed educator preparation program follows the appropriate regulation (16 KAR 5:010) outlining requirements for program approval as established by the EPSB.

Contact Person:

Dr. Kim Walters-Parker, Director
Division of Educator Preparation
(502) 564-4606
E-mail: Kim.Walters-Parker@ky.gov

Date:

April 28, 2014

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16 KAR 5:010. Standards for accreditation of educator preparation units and approval of programs.

RELATES TO: KRS 161.028, 161.030, 164.945, 164.946, 164.947, 20 U.S.C. 1021-1022h

STATUTORY AUTHORITY: KRS 161.028, 161.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1) authorizes the Education Professional Standards Board to establish standards and requirements for obtaining and maintaining a teaching certificate and for programs of preparation for teachers and other professional school personnel. KRS 161.030(1) requires all certificates issued under KRS 161.010 to 161.126 to be issued in accordance with the administrative regulations of the board. This administrative regulation establishes the standards for accreditation of an educator preparation unit and approval of a program to prepare an educator.

Section 12. Teacher Leader Master's Programs and Planned Fifth-Year Programs for Rank II. (1) All master's programs for rank change or planned fifth-year program for Rank II approved or accredited by the EPSB prior to May 31, 2008 shall no longer be approved or accredited as of December 31, 2010.

(a) Master's programs for initial certification shall be exempt from the requirements of this section.

(b) A master's program or planned fifth-year program for Rank II approved by the EPSB prior to May 31, 2008 shall cease admitting new candidates after December 31, 2010.

(c) Candidates admitted to a master's program or planned fifth-year program for Rank II approved by the EPSB prior to May 31, 2008 shall complete the program by January 31, 2013.

(d) An institution of higher learning with a master's program or a planned fifth-year program for Rank II approved by the EPSB prior to May 31, 2008 may submit a redesigned program for approval pursuant to the requirements of subsection (2) of this section beginning May 31, 2008.

(e) An institution may become operational beginning January 1, 2009, if the institution:

1. Submits a redesigned master's program or a planned fifth-year program for Rank II for review pursuant to the requirements of subsection (2) of this section; and

2. Receives approval of the redesigned program by the EPSB pursuant to Section 22 of this administrative regulation.

(f) 1. The EPSB shall appoint a Master's Redesign Review Committee to conduct reviews of redesigned master's programs and planned fifth-year programs for Rank II submitted for approval after May 31, 2008.

2. A master's program or a planned fifth-year program for Rank II submitted for approval after May 31, 2008 shall not be reviewed by the Continuous Assessment Review Committee, Content Program Review Committee, or the Reading Committee prior to presentation to the EPSB pursuant to Section 22(2) of this administrative regulation, but shall be reviewed by the Master's Redesign Review Committee.

3.a. After review of a master's program or planned fifth-year program for Rank II, the Master's Redesign Review Committee shall issue one (1) of the following recommendations to the Educational Professional Standards Board:

i. Approval;

ii. Approval with conditions; or

iii. Denial of approval.

b. The EPSB shall consider recommendations from staff and the Master's Redesign Review Committee and shall issue a decision pursuant to Section 22(4) of this administrative regulation.

(2) Beginning May 31, 2008, the educator preparation unit shall prepare and submit to the EPSB for each separate master's program or planned fifth-year program for Rank II for which the institution is seeking approval a concise description which shall provide the following information:

(a) Program design components which shall include the following descriptions and documentation of:

1. The unit's plan to collaborate with school districts to design courses, professional development, and job-embedded professional experiences that involve teachers at the elementary, middle, and secondary levels;

2. The unit's collaboration plan with the institution's Arts and Science faculty to meet the academic and course accessibility needs of candidates;

3. The unit's process to individualize a program to meet the candidate's professional growth or improvement plan;

4. The unit's method to incorporate interpretation and analysis of annual P-12 student achievement data into the program; and

5. The institution's plan to facilitate direct service to the collaborating school districts by education faculty members;

(b) Program curriculum that shall include core component courses designed to prepare candidates to:

1. Be leaders in their schools and districts;

2. Evaluate high-quality research on student learning and college readiness;

3. Deliver differentiated instruction for P-12 students based on continuous assessment of student learning and classroom management;

4. Gain expertise in content knowledge, as applicable;

5. Incorporate reflections that inform best practice in preparing P-12 students for postsecondary opportunities;

6. Support P-12 student achievement in diverse settings;

7. Enhance instructional design utilizing the Program of Studies, Core Content for Assessment, and college readiness standards;

8. Provide evidence of candidate mastery of Kentucky Teacher Standards utilizing advanced level performances and Specialized Professional Associations (SPA) Standards if applicable; and

9. Design and conduct professionally relevant research projects; and

(c) The unit's continuous assessment plan that includes, in addition to the requirements of Section 11(2) of this administrative regulation:

1. Instruments to document and evaluate candidate ability to demonstrate impact on P-12 student learning;

2. Clinical experiences and performance activities; and

3. A description of a culminating performance-based assessment.

(3)(a) A master's program for rank change approved pursuant to this section shall be known as a Teacher Leader Master's Program.

(b) Upon completion of a Teacher Leader Master's Program and recommendation of the institution, a candidate may apply to the EPSB for a Teacher Leader endorsement.

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- (c)1. An institution with an approved Teacher Leader Master's Program may establish an endorsement program of teacher leadership coursework for any candidate who received a Master's degree at an out of state institution or who received a master's degree from a Kentucky program approved prior to May 31, 2008.
2. Upon completion of the teacher leadership course work and recommendation of the institution, a candidate who has received a master's degree at an out of state institution or a master's degree from a Kentucky program approved prior to May 31, 2008, may apply to the EPSB for a Teacher Leader endorsement.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Consent Item D

Action Item

EPSB staff requests authorization for the executive director to enter into contracts to conduct normal business operations.

Applicable Statutes and Regulation

KRS 161.028 (1) (v) (d)

KRS 161.017 (3)

Applicable Goal

Goal 5: The EPSB shall be managed for both effectiveness and efficiency, fully complying with all statutes, regulations, and established federal, state, and agency policies.

Issue

Should the Education Professional Standards Board (EPSB) authorize the executive director to enter into the specified contracts to conduct normal business operations?

Background

KRS 161.028 (1) (v) authorizes the EPSB to enter into contracts and KRS 161.017 (3) stipulates that with board approval the executive director may enter into agreements "...to enlist assistance to implement the duties and responsibilities of the board."

We are requesting approval to enter into a Memorandum of Agreement (MOA) with the Kentucky Virtual Campus (KYVC) at the Council for Postsecondary Education. This agreement is to establish the services and costs for KYVC to operate as an eLearning Application Service Provider allowing EPSB to provide online courses and professional development on KyEducators.org. The fee for service is based on an estimated number of enrollment seats for a year. This is a one year agreement beginning July 1, 2014, through June 30, 2015.

- Approximate cost of the contract: \$15,000
- Impact on budget: This MOA does not affect general fund expenditures because it will be charged to the agency restricted funds for the CEO program. The cost of the contract is paid through fees collected from CEO candidates and general funds.
- Type of entity providing service: State agency
- Bidding process: Not required to bid
- Singular vs. continuing service: Continuing

Alternative Actions

1. Approve the contracts and authorize the executive director to execute these agreements.
2. Do not approve the completion of these agreements and instruct staff to cease related activity and distribution of funds.
3. Request further review of the agreements before completion.

Staff Recommendation

Alternative 1

Rationale

These contracts are necessary for allowing EPSB to continue training and testing on KyEducators.org.

Contact Person:

Mr. Jimmy Adams
Deputy Executive Director
(502) 564-4606
E-mail: Jimmy.Adams@ky.gov

Date:

April 28, 2014

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item A

Information Item:

Notice of Intent to amend 16 KAR 9:080. University Based Alternative Certification Program

Applicable Statutes and Regulation:

KRS 161.048; KRS 161.028; KRS 161.030; KRS 161.120
16 KAR 9:080

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Goal 3: Every credentialed educator exemplifies behaviors that maintain the dignity and integrity of the profession by adhering to established law and EPSB Code of Ethics.

Background:

The Option 6 Alternative Route Program is promulgated in 16 KAR 9:080 and incorporates by reference the alternative certification application form, TC-TP. The proposed amendment to 16 KAR 9:080 includes the adoption of the new certification form, CA-TP (for “Certification Application – Temporary Provisional”). All new proposed certification forms will have the CA designation to ensure a smooth transition from the prior forms to the newly designed forms. The proposed CA-TP form also contains the newly adopted character and fitness questionnaire. A more user friendly format will also facilitate transition to the online submission of the CA-TP.

The amendment provides for the current application process to remain in effect until December 31, 2014. Beginning January 1, 2015, any applicant will need to use the CA-TP and complete a state and federal criminal background check. The amendment also provides language to move forward with the online application process.

Contact Person:

Mr. John Fields, Director
Division of Certification
(502) 564-4606
E-mail: John.Fields@ky.gov

Date:

April 28, 2014

1 **16 KAR 9:080. University-based alternative certification program.**

2 RELATES TO: KRS 156.111, 160.345(2)(h), 161.027, 161.028(1)(k), (s), (t), 161.030(10),
3 161.048

4 STATUTORY AUTHORITY: KRS 161.027(1), 161.048(1)(d), (7)

5 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.048(1)(d) and (7) require the
6 Education Professional Standards Board to promulgate administrative regulations establishing
7 the standards and procedures for a university alternative certification option for teacher and
8 administrator certification. This administrative regulation establishes the requirements for entry
9 and completion of the teacher and administrator university-based alternative certification
10 options, the responsibilities of the employing school or school district, and the responsibilities of
11 the approved college or university alternative program.

12 Section 1. Definitions. (1) "Alternative certification administrator program" means a college
13 or university post baccalaureate or post masters administrator preparation program for an
14 individual enrolled concurrently with employment in a local school district as an assistant
15 principal, principal, assistant superintendent, guidance counselor, director of special education,
16 director of pupil personnel, supervisor of instruction, or superintendent.

17 (2) "Alternative certification teacher program" means a college or university post
18 baccalaureate teacher preparation program for an individual enrolled concurrently with
19 employment as a teacher.

20 Section 2. Admission Requirements. (1) An applicant for an alternative certification teacher
21 program shall meet the admission standards for an initial certification program established in 16
22 KAR 5:020.

1 (2) An applicant for an alternative certification administrator program shall meet the
2 admission standards for the corresponding administrator certification program established in 16
3 KAR Chapter 3.

4 (3) An applicant for any alternative certification teacher or administrator program shall meet
5 all certification requirements for the corresponding certificate established in 16 KAR Chapter 2
6 or 3 except completion of the corresponding educator preparation program and the required
7 assessments.

8 Section 3. University Requirements for Alternative Certification Teacher Program. (1) An
9 accredited college or university seeking to offer an alternative certification teacher program shall
10 apply to the Education Professional Standards Board for program approval in accordance with 16
11 KAR 5:010.

12 (2) In addition to the standards for program approval established in 16 KAR 5:010, the
13 educator preparation institution seeking alternative certification teacher program approval shall
14 design the alternative certification teacher program to provide a candidate with the coursework
15 and mentoring necessary to permit a candidate to maintain employment in an eligible position
16 and to successfully complete any applicable assessments, including internship programs, within a
17 period of three (3) years for those enrolled in an alternative certification teacher program.

18 (3) Upon approval, the alternative certification teacher program unit shall:

19 (a) Assess a candidate's educational background and develop a plan of coursework that shall
20 adequately prepare the candidate for successful completion of the requirements for program
21 completion and certification for the areas and grade ranges that correspond with the candidate's
22 school placement;

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1 (b) Provide a candidate written and dated documentation of eligibility for the university
2 alternative certification teacher program so that the candidate may be considered for employment
3 pursuant to KRS 160.345(2)(h);

4 (c) Ensure that a candidate begins coursework no later than ninety (90) days from the date the
5 eligibility notice is issued;

6 (d) Develop a written agreement to provide, in collaboration with the administration of the
7 candidate's employing school, mentoring to the candidate in the employment setting which shall
8 include:

9 1. Prior to the candidate's enrollment in the Kentucky Teacher Internship Program pursuant
10 to KRS 161.030 and 16 KAR 7:010, a minimum of fifteen (15) hours of annual observation
11 utilizing university faculty and a district-based mentor of the candidate practicing instruction in
12 the classroom, as follows:

13 a. A minimum of five (5) hours of observation by university faculty;

14 b. A minimum of five (5) hours of observation by a district-based mentor; and

15 c. A minimum of five (5) hours of observation by either the university faculty or the district-
16 based mentor;

17 2. A description of how support shall be offered to the candidate during in-class and out-of-
18 class time to assist the candidate in meeting the teacher's instructional responsibilities;

19 3. The name, contact person, and role for the collaborating educator preparation institution
20 mentor; and

21 4. The name and role of all school district mentor teachers;

1 (e) Establish a process to maintain regular communication with the employing school so that
2 the institution and employing school may assist the candidate as needed and address identified
3 areas of improvement; and

4 (f) Notify the Education Professional Standards Board in writing if a candidate's employment
5 in a covered position or enrollment in the alternative certification teacher program permanently
6 ceases.

7 (4) Student teaching shall not be required for program completion.

8 Section 4. Temporary Provisional Certificate for Teaching. (1) The temporary provisional
9 certificate for teaching shall be issued and renewed in accordance with KRS 161.048(7).

10 (2) The temporary provisional certificate for teaching shall be:

- 11 (a) 1. Until December 31, 2014, issued in accordance with a grade level and specialization as
12 recommended by the educator preparation institution on Form TC-TP; or
13 2. Beginning January 1, 2015, issued in accordance with a grade level and specialization
14 as recommended by the educator preparation institution on Form CA-TP; and

15 (b) Valid for employment consistent with the area of certification being sought through the
16 preparation program.

17 (3) The temporary provisional certificate for teaching shall be issued at the rank
18 corresponding to the degree held by the teacher applicant in accordance with the requirements
19 established in 16 KAR 8:020.

20 Section 5. Issuance of a Temporary Provisional Certificate for Teaching. (1) Prior to seeking
21 employment in a Kentucky public school, a candidate shall request from the institution written
22 and dated documentation of eligibility for the alternative certification teacher program to provide
23 to school districts pursuant to KRS 160.345(2)(h).

1 (2) Prior to employment, a superintendent, on behalf of the employing local board of
2 education, shall be responsible for requesting the temporary provisional certificate.

3 (3) The candidate shall submit to the Education Professional Standards Board an official
4 college transcript from each college or university attended.

5 (4) The employing school district shall submit with Form TC-TP or Form CA-TP a
6 completed and signed copy of the mentoring collaboration agreement with the alternative
7 certification teacher program as required by Section 3(3)(d) of this administrative regulation.

8 (5) Beginning January 1, 2015, a candidate who is not currently certified as an educator in
9 Kentucky shall submit a national and state criminal background check performed in accordance
10 with KRS 160.380(5)(c) within twelve (12) months prior to the date of application.

11 Section 6. Requirements for Renewal of the Temporary Provisional Certificate for Teaching.

12 (1) A candidate shall be eligible for the first renewal of the temporary provisional certificate
13 upon successful completion of the following requirements:

14 (a) Evidence of employment in a Kentucky school district or nonpublic school in the content
15 area or areas indicated on the initial provisional certificate;

16 (b) A minimum of six (6) semester hours or its equivalent from the approved preparation
17 program; and

18 (b) 1. Until December 31, 2014, completion of Form TC-TP; or

19 2. Beginning January 1, 2015, completion of Form CA-TP.

20 (2) A candidate shall be eligible for the final renewal of the temporary provisional certificate
21 upon successful completion of the following requirements:

22 (a) Evidence of employment in a Kentucky school district or nonpublic school in the content
23 area or areas indicated on the initial provisional certificate;

1 (b) A minimum of six (6) new semester hours or its equivalent from the approved preparation
2 program;

3 (c) The required assessments as established in 16 KAR 6:010; and

4 (d) 1. Until December 31, 2014, Completion of Form TC-TP; or

5 2. Beginning January 1, 2015, completion of Form CA-TP.

6 Section 7. Alternative Certification Teacher Program Completion Requirements. (1) If the
7 candidate has successfully passed the required assessments as outlined in 16 KAR 6:010, and
8 completed the required coursework, the institution shall provide written notice to the employing
9 school district that a candidate is eligible to participate in the Kentucky Teacher Internship
10 Program in each subject area covered by the temporary provisional certificate and in accordance
11 with 16 KAR 7:010.

12 (2) When the candidate is prepared to enroll in the Kentucky Teacher Internship Program, the
13 recommending institution shall complete and sign page five (5) of the TC-TP or CA-TP form
14 and deliver it to the employing school district for submission to the Education Professional
15 Standards Board.

16 (3) Upon completion of all program requirements of the alternative certification teacher
17 program, including successful completion of the Kentucky Teacher Internship Program
18 established in KRS 161.030 and 16 KAR 7:010, the candidate may make application to the
19 Education Professional Standards Board for the professional certificate on the form TC-1 or CA-
20 1, which are [is] incorporated by reference in 16 KAR 2:010.

21 (4) Upon verification that a candidate has met all eligibility requirements for certificate
22 issuance, the Education Professional Standards Board shall issue a professional certificate.

1 (5) A candidate who failed to successfully complete the assessments, the internship, or the
2 required coursework during the initial issuance and two (2) renewals of the temporary certificate,
3 in accordance with KRS 161.048(7), and who has been transitioned into an institution's
4 traditional educator preparation program, shall be eligible for a Teacher Internship Statement of
5 Eligibility-Confirmation of Employment as a Teacher upon recommendation of the institution
6 after the candidate's completion of the preparation program and the required assessments.

7 (6) If a candidate fails to complete all alternative certification program requirements during
8 the initial issuance and two (2) renewals of the temporary provisional certificate, in accordance
9 with KRS 161.048(7), the employing school district may, pursuant to 16 KAR 2:010, 2:120, and
10 2:180, submit an application for emergency or conditional certification on behalf of the former
11 employee to allow the individual to continue employment.

12 Section 8. University Requirements for an Alternative Certification Administrator Program.

13 (1) An accredited college or university seeking to offer an alternative certification administrator
14 program shall apply to the Education Professional Standards Board for program approval in
15 accordance with 16 KAR 5:010.

16 (2) In addition to the standards for program approval established in 16 KAR 5:010, the
17 educator preparation institution seeking alternative certification administrator program approval
18 shall design the alternative certification administrator program to provide a candidate with the
19 coursework and mentoring appropriate to permit a candidate to maintain employment in an
20 eligible position and successfully complete any applicable assessments, including any internship
21 or training programs, within a period of two (2) years for those enrolled in an alternative
22 certification administrator program.

23 (3) Upon approval, the alternative certification administrator program unit shall:

Agenda Book

1 (a) Assess a candidate's educational background and develop a plan of coursework that shall
2 adequately prepare the candidate for successful completion of the requirements for program
3 completion and certification for the areas and grade ranges that correspond with the candidate's
4 school placement;

5 (b) Provide a candidate written and dated documentation of eligibility for the university
6 alternative certification administrator program so that the candidate may be considered for
7 employment pursuant to KRS 160.345(2)(h);

8 (c) Ensure that a candidate begins coursework no later than ninety (90) days from the date the
9 eligibility notice is issued;

10 (d) Develop a written agreement to provide, in collaboration with the administration of the
11 candidate's employing school, mentoring to the candidate in the employment setting which shall
12 include:

13 1. A minimum of fifteen (15) hours of annual observation utilizing university faculty and a
14 district-based mentor of the candidate practicing in the appropriate administrative role, as
15 follows:

16 a. A minimum of five (5) hours of observation by university faculty;

17 b. A minimum of five (5) hours of observation by a district-based mentor; and

18 c. Five (5) hours of observation by either the university faculty or the district-based mentor;

19 2. A description of how support shall be offered to the candidate to assist the candidate in
20 meeting the candidate's administrative responsibilities;

21 3. The name, contact person, and role for the collaborating educator preparation institution
22 mentor; and

23 4. The name and role of all school district mentors;

Agenda Book

1 (e) Establish a process to maintain regular communication with the employing school so that
2 the institution and employing school may assist the candidate as needed and address identified
3 areas of improvement; and

4 (f) Notify the Education Professional Standards Board in writing if a candidate's employment
5 in a covered position or enrollment in the alternative certification administrator program
6 permanently ceases.

7 Section 9. Temporary Provisional Administrative Certificate. (1) The temporary provisional
8 administrative certificate shall be issued for a validity period not to exceed one (1) year.

9 (2) The temporary provisional administrative certificate may be renewed a maximum of one
10 (1) time.

11 (3) The temporary provisional administrative certificate shall be valid for employment in a
12 position consistent with the area of certification being sought through the preparation program.

13 Section 10. Issuance of a Temporary Provisional Administrative Certificate. (1) Prior to
14 seeking employment in a Kentucky public school, a candidate shall request from the institution
15 written and dated documentation of eligibility for the university based alternative certification
16 administrator program to provide to school districts pursuant to KRS 160.345(2)(h).

17 (2) Prior to employment, a superintendent, on behalf of the employing local board of
18 education, shall be responsible for requesting the temporary provisional certificate.

19 (3) The candidate shall submit to the Education Professional Standards Board an official
20 college transcript from each college or university attended.

21 (4) The employing school district shall submit with Form TC-TP or Form CA-TP a
22 completed and signed copy of the mentoring collaboration agreement with the university based
23 alternative certification program as required by Section 8(3)(d) of this administrative regulation.

1 (5) Beginning January 1, 2015, a candidate who is not currently certified as an educator
2 in Kentucky shall submit a national and state criminal background check performed in
3 accordance with KRS 160.380(5)(c) within twelve (12) months prior to the date of application.

4 Section 11. Requirements for renewal of the temporary provisional certificate for an
5 administrator. (1) A candidate shall be eligible for no more than one (1) renewal of the
6 temporary provisional certificate.

7 (2) A candidate shall be eligible for renewal of the temporary provisional certificate upon
8 successful completion of the following requirements:

9 (a) Evidence of employment in a Kentucky school district or nonpublic school in the position
10 indicated on the temporary provisional certificate;

11 (b) A minimum of six (6) semester hours or its equivalent from the approved preparation
12 program; and

- 13 (c) 1. Until December 31, 2014, Completion of Form TC-TP; or
14 2. Beginning January 1, 2015, completion of Form CA-TP.

15 Section 12. Alternative Certification Administrator Program Completion Requirements.

16 (1)(a) If the alternative certification administrator candidate for principal certification has
17 successfully passed the required assessments, as outlined in 16 KAR 6:030, and completed the
18 required coursework, the institution shall provide written notice to the district that the candidate
19 is eligible to participate in the Kentucky Principal Internship Program in accordance with 16
20 KAR 7:020.

21 (b) When a principal candidate is ready to enroll in the Kentucky Principal Internship
22 Program, the recommending institution shall complete page five (5) of the TC-TP form or Form

1 CA-TP and deliver the form to the employing school district for submission to the Education
2 Professional Standards Board.

3 (2)(a) An alternative certification administrator candidate who failed to complete the
4 assessments, the internship, or the required coursework during the initial issuance and one (1)
5 renewal of the temporary provisional certificate and who has been transitioned into an
6 institution's traditional preparation program, shall be eligible for an administrative certificate in
7 the area of study upon recommendation of the institution after the candidate's completion of the
8 preparation program and the required assessments.

9 (b) If the candidate was initially enrolled in the alternative certification program for principal,
10 the candidate shall be eligible for a Principal Internship Statement of Eligibility-Confirmation of
11 Employment as a Principal/Assistant Principal in an Accredited Kentucky School upon
12 recommendation of the institution after the candidate's completion of the preparation program
13 and the required assessments.

14 (3)(a) During the period of enrollment in the alternative certification administrator program,
15 a candidate seeking superintendent certification and serving in a local school district as a
16 superintendent or assistant superintendent shall successfully complete both the coursework in the
17 institution's alternative certification administrator program as well as the Superintendents
18 Training Program and assessments required in KRS 156.111.

19 (b) The college or university faculty shall maintain contact with the employing school district
20 and the Kentucky Department of Education regarding the completion of coursework to ensure
21 that a superintendent candidate has completed the required coursework to prepare for the
22 assessments and participation in the Superintendents Training Program.

1 (4) Upon completion of the alternative certification administrator program, the assessments,
2 and the internship or Superintendents Training Program as applicable, the university shall
3 provide a recommendation for the professional certificate on the candidate's TC-1 or CA-1 form.

4 (5) Upon verification that a candidate has met all eligibility requirements for certificate
5 issuance, the Education Professional Standards Board shall issue a professional certificate.

6 Section 13. Incorporation by Reference. (1) The following material is incorporated by
7 reference:

8 (a) "Application for Temporary Provisional Certification", Form TC-TP, May 2007;

9 (b) "Application for Temporary Provisional Certification", Form CA-TP, June 2014;

10 (c) "Teacher Internship Statement of Eligibility-Confirmation of Employment as a Teacher",
11 November 2004; and

12 (d) ~~{(e)}~~ "Principal Internship Statement of Eligibility-Confirmation of Employment as a
13 Principal/Assistant Principal in an Accredited Kentucky School", May 2005.

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

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item B

Information Item:

Amendment to EPSB's Determining Probable Cause to Take Disciplinary Action Procedure, Notice of Intent

Applicable Statutes and Regulation:

KRS 161.028, KRS 161.120, 16 KAR 1:020, 16 KAR 1:030

Applicable Goal:

Goal 3: Every credentialed educator exemplifies behaviors that maintain the dignity and integrity of the profession by adhering to established law and EPSB Code of Ethics.

Issue:

Should the EPSB approve the proposed amendments to the EPSB's Determining Probable Cause to Take Disciplinary Action Procedure contained in the EPSB's Policy and Procedure Manual?

Background:

In accordance with the EPSB's newly adopted strategic plan, staff presented some potential improvements to the disciplinary system to improve the efficiency of the system. One of the ideas was to broaden the definition of dismissals so that the EPSB could dismiss cases where either the school district or the educator had sought professional development or training or other remedial measures prior to the EPSB's first review of the matter. This will allow educators who have been accused of minor offenses to present to the EPSB proof that they have independently sought to correct the deficiency so their cases will be resolved more quickly.

Staff suggests the EPSB use the minutes to inform staff and the respondent as to why the case was dismissed. For cases where the EPSB has determined to dismiss the case on the merits, the EPSB would order the case "dismissed." The EPSB would use "Dismissed – Remediated" when the matter was resolved by either the district's discipline or the respondent's voluntary willingness to enter into professional development, training, or counseling. For dismissals after an individual was offered a deferral for training, the EPSB would order the case "Dismissed – Trained."

Separating out the reason for the dismissals in the minutes will give staff clearer information on what types of cases the EPSB is dismissing on the merits and will influence future decision on what cases need to be reviewed by the EPSB. Additionally, the information on what cases are being dismissed for remediation or training will help future respondents and attorneys who practice before the EPSB plan how best to resolve the case quickly.

Adding these additional disciplinary decisions will also assist the EPSB in determining whether any further amendments to the disciplinary process are necessary. This new option for dismissals in conjunction with equidistant scheduled meetings should assist in reducing the length of time minor disciplinary matters are open; therefore, allowing staff and board members to concentrate on the more egregious disciplinary issues.

Agenda Book

Contact Person:

Ms. Alicia A. Sneed, Director
Division of Legal Services
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E-mail: Alicia.Sneed@ky.gov

Date:

April 28, 2014

Education Professional Standards Board
DETERMINING PROBABLE CAUSE TO TAKE DISCIPLINARY ACTION
PROCEDURE
Amended November 19, 2007
(Approved August 26, 2002)

Pursuant to KRS 161.120(1), the Education Professional Standards Board (hereinafter “the Board”) may take disciplinary action against certified educators. Superintendents have a duty to report misconduct within 30 days of the incident and may be subject to disciplinary action for failing to so report. In addition, other sources may submit complaints to the Board’s legal staff. Legal staff shall initiate a disciplinary case when the allegation in the report or complaint establishes an act prohibited by KRS 161.120 (1).

Upon opening a disciplinary case, the legal staff sends the educator (“respondent”) a copy of the complaint received and he or she is advised in writing of the right to submit any rebuttal material within 30 days. The respondent also has the ability to request a delay in submitting a rebuttal. (This is frequently the case when an employment tribunal or concurrent civil or criminal trial is involved.) Board policy is to authorize legal staff to grant such requests at their discretion and for good cause.

Following receipt of a rebuttal or the expiration of the time limit for its submission, the initial case is presented by legal staff at the next regularly scheduled board meeting. At that time, if the Board does not request further information, it makes one of the following “probable cause” determinations:

Dismiss: The complaint against the educator shall be dismissed. The dismissal may not be based upon the merits of the case, but rather some other aspect, such as weak facts, incomplete reporting, lack of cooperation from witnesses, etc.; therefore, subsequent action on this complaint is not prohibited; or

The Board without making a determination of whether the allegations contained in the complaint are true believes that either remedial training obtained by the Respondent or the local employment discipline issued in this matter was appropriate. If the Board receives further complaints against the Respondent, subsequent action on this complaint is not prohibited.

Deferral for training: The evidence presented to the Board indicates that the Respondent would benefit from remedial training. The Board shall defer consideration of this case in order to offer the Respondent an opportunity to complete the suggested training. If the Respondent provides written proof to the Board that he or she has successfully completed the recommended training, the Board shall dismiss the case.

Admonish: The evidence presented to the Board provides a clear indication that the alleged misconduct did in fact occur; however, it is not serious enough to warrant a suspension of the certificate. The Board issues a written admonishment to the educator with a copy to his or her superintendent.

Agenda Book

Refer to Hearing: The evidence, if true, would indicate that punitive action should be taken against the certificate. Legal staff shall further investigate the allegations and proceed toward an administrative hearing in accordance with KRS 13B.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item C

Information Item:

Amendment to EPSB's Meeting Policy, Notice of Intent

Applicable Statutes and Regulation:

KRS 61.820; KRS 161.028

Applicable Goal:

All goals

Background:

At the March 17, 2014, board meeting, the Education Professional Standards Board (EPSB) adopted its Strategic Plan which included a regular meeting schedule to begin with fiscal year 2015. The Strategic Plan institutes meeting dates for the second Monday of each even numbered month, i.e. February, April, June, August, October, and December. This regular schedule will provide board members, staff, and constituents with consistent meeting dates for planning attendance and submissions for the EPSB meetings. Additionally, a regular meeting schedule will expedite disciplinary cases and treat respondents more equitably as cases will not lag between meetings scheduled several months apart.

The draft amendment for the EPSB's current policy deletes language requiring the EPSB to annually adopt a meeting schedule for the next fiscal year and replaces it with "the second Monday of each February, April, June, August, October, and December." In conjunction with this information item, the EPSB has an action item to adopt the applicable dates for fiscal year 2015 at this meeting. This is necessary in order to publish the dates for the next fiscal year, since the EPSB's last meeting date is not until the end of this fiscal year.

Contact Person:

Ms. Alicia A. Sneed, Director
Division of Legal Services
(502) 564-4606
E-mail: Alicia.Sneed@ky.gov

Agenda Book

Education Professional Standards Board

**MEETING
POLICY**

Approved March 5, 2012

In accordance with KRS 61.820, the Education Professional Standards Board shall meet the second Monday of each February, April, June, August, October, and December [~~adopt and publish a schedule for regular meetings at its last regularly scheduled meeting for the fiscal year~~]. The agenda shall be electronically available to the public 5 days prior to the meeting date.

The agenda book, misconduct docket, and all relevant support materials for each meeting shall be made electronically available to the board ten (10) days prior to the meeting date. Additional review materials including a disciplinary docket addendum may be supplied electronically to the board four (4) days prior to the meeting.

A board member who wishes to receive all or part of the meeting materials in a paper format shall make a written request to the executive director.

At the discretion of the executive director, additional materials may be provided to the board on the day of the meeting.

A board member who does not have access to a home computer may request an agency laptop for use to prepare for meetings. If a board member uses an agency laptop, the board member shall be subject to the agency's acceptable use policy.

Board members are responsible for maintaining the confidentiality of any board materials provided to them.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item A

Action Item:

2014-2015 Meeting Dates

Applicable Statute:

KRS 161.028

Applicable Goal:

Goal VI: The EPSB shall be managed for both effectiveness and efficiency, fully complying with all statutes, regulations and established federal, state, and agency policies.

Background:

As stipulated in KRS 161.028, regular meetings of the board shall be held at least semi-annually on call of the chair. A recommended calendar for 2014-15 is attached.

Alternative Actions:

1. Approve the proposed meeting calendar for 2014-15.
2. Revise and approve the meeting calendar for 2014-15.

Staff Recommendation:

Alternative 1

Rationale:

Meeting dates and places must be scheduled as far in advance as possible to ensure availability of facilities.

Contact Person:

Ms. Ashley Abshire
Executive Assistant
(502) 564-4606
E-mail: Ashley.Abshire@ky.gov

Date:

April 28, 2014

Proposed 2014-2015 EPSB Meeting Dates

Monday, August 11, 2014

Monday, October 13, 2014

Monday, December 8, 2014

Monday, February 9, 2015

Monday, April 13, 2015

Monday, June 8, 2015

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item B

Action Item

Kentucky Teacher Internship Program and funding scenario

Applicable Statutes and Regulation

KRS 161.017 (1) (e)

KRS 161.030 (7)

16 KAR 7:030

Applicable Goal

Goal 5: The EPSB shall be managed for both effectiveness and efficiency, fully complying with all statutes, regulations, and established federal, state, and agency policies.

Issue

Should the Education Professional Standards Board (EPSB) approve the allocation of FY15 funds for administering the Kentucky Teacher Internship Program based upon the proposed funding scenario?

Background

The KTIP budget for the fiscal year 2015 will be established following approval of the state budget by the 2014 General Assembly and signed by the Governor. It will then be placed on the EPSB secure website prior to the board meeting on April 28, 2014. Additionally, EPSB staff members have been informed that a proposal from CTE staff does include financial support for interns in career and technical education classrooms; however, the amount will not be available at the time of the April 28, 2014, EPSB regular meeting.

Alternative Actions

1. Approve the recommended allocations as presented. Allow EPSB staff to make modifications to the maximum number of interns should CTE funds be received.
2. Do not approve the funding scenario.

Staff Recommendation

Alternative 1

Rationale

EPSB staff is requesting approval of the allocation of KTIP funds for fiscal year 2015. This allocation will allow staff to communicate with universities and districts regarding the amount of the resource teacher stipend, the number of hours for resource teacher consulting services, the allocation of funds for university services, and the maximum number of interns to be funded. It will also allow EPSB to move forward with contracts for FY15 and CTE contracts should Perkins funds become available.

Contact Person:

Mr. Jimmy Adams
Deputy Executive Director
(502) 564-4606
E-mail: Jimmy.Adams@ky.gov

Ms. Donna Brockman
Director
Professional Learning and Assessment
(502) 564-4606
E-mail: Donna.Brockman@ky.gov

Date:

April 28, 2014

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item C

Action Item:

Adoption of the International Reading Association Standards for Middle and High School Content Classroom Teachers

Applicable Statutes and Regulations:

16 KAR 5:010

Applicable Goal:

Goal 1: Every approved educator preparation program meets or exceeds all accreditation standards and prepares knowledgeable, capable teachers and administrators who demonstrate effectiveness in helping all students reach educational achievement.

Issue:

Should the Education Professional Standards Board adopt the International Reading Association Standards for Middle and High School Content Classroom Teachers as the program approval standards for educator preparation programs for middle school, high school, or any certificate with permissions for any grade(s) 6-12?

Background:

The EPSB charged the Literacy Preparation Advisory Committee (LPAC) with addressing objectives related to ensuring Kentucky's middle school and high school teachers are prepared to meet the literacy learning needs of all students. In its January 2014 report to the board, LPAC presented its recommendations and a timeline for implementation. Ultimately, regulatory changes will be necessary to implement the recommendations. One of the preliminary steps toward regulatory change is adopting standards to guide program development for affected educator preparation programs, which include all programs resulting in recommendations for middle school, high school, or any certificate with permissions for any grade(s) 6-12. These standards are in addition to other board-adopted standards required for program approval.

LPAC recommended adoption of the International Reading Association (IRA) Standards for Middle and High School Content Classroom Teachers. IRA is the NCATE/CAEP Specialized Professional Association for reading. IRA is in the process of changing its name to the International Literacy Association to reflect more accurately its broader interests in not only reading but also literacy in general. The Standards outline specific literacy knowledge, skills, and dispositions for candidates. In addition, they provide examples of evidence that may be used to demonstrate competence. These examples are not intended to be assessed in their entirety; they are examples only.

Formal adoption of these standards will serve as notice to preparation programs that the IRA Standards for Middle and High School Content Classroom Teachers will be the foundation of regulatory revisions necessary to implement LPAC's recommendations. The Division of Educator Preparation will work with LPAC and other interested parties to address the process of integrating these standards into all affected programs and will continue to report steps in this process to the board.

Alternative Actions:

1. Adopt the International Reading Association Standards for Middle and High school Content Classroom Teachers as the program approval standards for educator preparation programs for middle school, high school, or any certificate with permissions for any grade(s) 6-12.
2. Do not adopt the International Reading Association Standards for Middle and High school Content Classroom Teachers as the program approval standards for educator preparation programs for middle school, high school, or any certificate with permissions for any grade(s) 6-12.

Staff Recommendation:

Alternative Action 1

Persons/Groups Consulted:

Literacy Preparation Advisory Committee

Contact Person:

Dr. Kim Walters-Parker, Director
Division of Educator Preparation
(502) 564-4606
E-mail: Kim.Walters-Parker@ky.gov

Date:

April 28, 2014

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver A

Action Item:

Request to waive language in 16 KAR 9:080 pertaining to observation of teacher candidates in a university-based alternative certification program

Applicable Statutes and Regulations:

KRS 161.028
16 KAR 9:080

Applicable Goal:

Goal 1: Every approved educator preparation program meets or exceeds all accreditation standards and prepares knowledgeable, capable teachers and administrators who demonstrate effectiveness in helping all students reach educational achievement.

Issue:

Should the Education Professional Standards Board waive language in 16 KAR 9:080 pertaining to observation of teacher candidates in a university-based alternative certification program for the University of Kentucky's Option 6 Teacher of Exceptional Children--Moderate and Severe Disabilities, P-12 program?

Background:

The University of Kentucky operates an approved university-based alternative certification (Option 6) program leading to certification as a Teacher of Exceptional Children--Moderate and Severe Disabilities, P-12. In accordance with 16 KAR 9:080, University-Based Alternative Certification Program, this program places the candidate in a classroom as the teacher of record under the supervision of the employing district in partnership with the University of Kentucky. As amended by the Education Professional Standards Board, effective December 6, 2013, 16 KAR 9:080, Section 3(d)(1) requires 15 hours of observation annually:

1. Prior to the candidate's enrollment in the Kentucky Teacher Internship Program pursuant to KRS 161.030 and 16 KAR 7:010, a minimum of fifteen (15) hours of annual observation utilizing university faculty and a district-based mentor of the candidate practicing instruction in the classroom, as follows:
 - a. A minimum of five (5) hours of observation by university faculty;
 - b. A minimum of five (5) hours of observation by a district-based mentor; and
 - c. A minimum of five (5) hours of observation by either the university faculty or the district-based mentor.

The regulation is interpreted to require that the observer, whether the university faculty member or the district-based mentor, is present in the classroom to conduct the observation of the candidate practicing instruction in the classroom.

Some of UK's Option 6 MSD candidates teach in remote areas of the state distant from the university campus in Lexington. UK is requesting a waiver of this provision of 16 KAR 9:080 to conduct a pilot allowing the university faculty member to observe the candidate through the use

Agenda Book

of a video camera placed in the classroom and remotely controlled by the faculty member; the cameras pan and zoom via remote control. The cameras are used in conjunction with Bluetooth audio so the faculty member can communicate with the candidate during the observation. UK faculty have conducted field tests and additional grant-funded research with this technology and believe its use will allow more frequent and meaningful observations for their Option 6 MSD candidates.

As outlined in the waiver request, the first observation would be carried out on a face-to-face basis; subsequent observations would be conducted remotely. Face-to-face observations would resume if an observation indicated that the candidate is not performing in accordance with program expectations. To support the waiver request, UK has submitted additional documentation including a letter from the current department chair, a list of relevant research references, and a letter from a teacher who has been observed with this technology.

Alternative Actions:

1. Approve the proposed waiver of 16 KAR 9:080.
2. Do not approve the proposed waiver of 16 KAR 9:080.

Contact Person:

Dr. Kim Walters-Parker, Director
Division of Educator Preparation
(502) 564-4606
E-mail: Kim.Walters-Parker@ky.gov

Date:

April 28, 2014

Agenda Book

16 KAR 9:080. University-based alternative certification program.

RELATES TO: KRS 156.111, 160.345(2)(h), 161.027, 161.028(1)(k), (s), (t), 161.030(10), 161.048

STATUTORY AUTHORITY: KRS 161.027(1), 161.048(1)(d), (7)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.048(1)(d) and (7) require the Education Professional Standards Board to promulgate administrative regulations establishing the standards and procedures for a university alternative certification option for teacher and administrator certification. This administrative regulation establishes the requirements for entry and completion of the teacher and administrator university-based alternative certification options, the responsibilities of the employing school or school district, and the responsibilities of the approved college or university alternative program.

Section 3. University Requirements for Alternative Certification Teacher Program. (1) An accredited college or university seeking to offer an alternative certification teacher program shall apply to the Education Professional Standards Board for program approval in accordance with 16 KAR 5:010.

(2) In addition to the standards for program approval established in 16 KAR 5:010, the educator preparation institution seeking alternative certification teacher program approval shall design the alternative certification teacher program to provide a candidate with the coursework and mentoring necessary to permit a candidate to maintain employment in an eligible position and to successfully complete any applicable assessments, including internship programs, within a period of three (3) years for those enrolled in an alternative certification teacher program.

(3) Upon approval, the alternative certification teacher program unit shall:

(a) Assess a candidate's educational background and develop a plan of coursework that shall adequately prepare the candidate for successful completion of the requirements for program completion and certification for the areas and grade ranges that correspond with the candidate's school placement;

(b) Provide a candidate written and dated documentation of eligibility for the university alternative certification teacher program so that the candidate may be considered for employment pursuant to KRS 160.345(2)(h);

(c) Ensure that a candidate begins coursework no later than ninety (90) days from the date the eligibility notice is issued;

(d) Develop a written agreement to provide, in collaboration with the administration of the candidate's employing school, mentoring to the candidate in the employment setting which shall include:

1. Prior to the candidate's enrollment in the Kentucky Teacher Internship Program pursuant to KRS 161.030 and 16 KAR 7:010, a minimum of fifteen (15) hours of annual observation utilizing university faculty and a district-based mentor of the candidate practicing instruction in the classroom, as follows:

a. A minimum of five (5) hours of observation by university faculty;

b. A minimum of five (5) hours of observation by a district-based mentor; and

c. A minimum of five (5) hours of observation by either the university faculty or the district-based mentor;

2. A description of how support shall be offered to the candidate during in-class and out-of-class time to assist the candidate in meeting the teacher's instructional responsibilities;

3. The name, contact person, and role for the collaborating educator preparation institution mentor; and

4. The name and role of all school district mentor teachers;

(e) Establish a process to maintain regular communication with the employing school so that the institution and employing school may assist the candidate as needed and address identified areas of improvement; and

(f) Notify the Education Professional Standards Board in writing if a candidate's employment in a covered position or enrollment in the alternative certification teacher program permanently ceases.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver B

Action Item:

Request a waiver of grade range requirements for Bell County middle grades certified teachers.

Applicable Statute and/or Regulation:

KRS 161.020; KRS 161.028
16 KAR 2:120, Section 2 (3b)

Applicable Goal:

Goal II: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Issue:

Should the Education Professional Standards Board (EPSB) approve the grade level waiver(s) as requested by the Bell County Board of Education?

Background:

Bell County has four small K-8 schools in their district. While each of the school's configurations is K-8, they are structured as Primary (K-3) and Middle School (4 – 8). All Middle Schools in the district are on a seven period day. Three of these schools have only one class for each grade level.

During the 2013-2014 school year, individuals with 5-9 certificates were granted emergency certification to allow them to teach 4th grade students in their content areas. Per 16 KAR 2:120 Section 2 (3b), an emergency certificate shall not be issued to the same person in any subsequent year.

The superintendent contends that if middle school teachers with 5-9 certification are limited to only those grade levels, they are only able to utilize four periods of their instructional day. By allowing them to teach a 4th grade class in their field of certification, the schools can utilize these individuals for five of the seven periods. The remainder of the teachers' schedules would consist of a planning period and an RTI period so they can assist students who are struggling with content. The content specific certified teachers will be able to bring demonstrated content competency to the 4th grade level. It also provides a unique situation where the school staff can assess the delivery of content across grades 4 – 8, allowing them to align curriculum across grade levels and track student progress for a period of five years.

The superintendent is requesting waivers only for the individuals identified under separate cover. If granted, the waiver would remain in effect as long as the teachers remain in their current positions. Additional waiver requests may be necessary for staffing changes.

Alternative Actions:

1. Approve the waiver request for the identified teachers.
2. Do not approve the waiver request for the identified teachers.

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

RELATES TO: KRS 157.390, 161.020, 161.028, 161.030, 161.100, 161.1211, 161.1221, 334A.030, 334A.033, 334A.035, 334A.050, 334A.060

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

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

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

Section 2. (1) In order to comply with KRS 161.100 in establishing the need for employing emergency teaching personnel, the superintendent of the local school district and the board of education shall make the following declaration to the Education Professional Standards Board on Form TC-4F:

- (a) Qualified teachers have not applied for the vacant position and qualified teachers are not available for the position;
- (b) Diligent efforts have been made to recruit a qualified teacher for the vacant position, and furthermore, this vacancy has been made known locally by appropriate means;
- (c) The local school district has been unsuccessful in recruiting qualified teachers for the vacant position from the listings of teachers supplied by the placement services of the teacher education institutions;
- (d) The position shall be filled by the most suitable applicant available, giving preference to the factors of academic preparation, prior teaching experience or related educational work, and personal attributes compatible with the demands of the teaching profession; and
- (e) The local school district has conducted a criminal records check as required by KRS 160.380 for each applicant prior to applying for the emergency certificate.

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

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

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

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

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

1. The emergency certificate was issued after February 15 of a school year; or
2. The emergency certificate was issued for less than fifty (50) percent of the person's class schedule.

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

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

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

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

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

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

(b) The Kentucky Department of Education shall report to the Education Professional Standards Board those emergency certified teachers of exceptional children who have not completed the training requirements established in this subsection by June 30 of each year for the preceding school year.

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

(5) The Education Professional Standards Board shall periodically review the numbers of emergency certificates issued for full-time, part-time, and substitute teaching by school district, by position, and by academic preparation.

(6)(a)1. An emergency certificate for full-time or part-time employment shall be issued only to individuals who:

- a. Have completed a minimum of a bachelor's degree from a regionally accredited college; and
- b.(i) Have a cumulative minimum grade point average of 2.5 on a 4.0 scale; or
- (ii) Have a minimum grade point average of 3.0 on a 4.0 scale on the last sixty (60) hours of credit completed, including undergraduate and graduate coursework.

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

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

1. Have completed a minimum of sixty-four (64) semester hours of credit from a regionally accredited institution; and
- 2.a. Have a cumulative minimum grade point average of 2.5 on a 4.0 scale; or...

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