

## Agenda Book

### **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, 3<sup>rd</sup> Floor, Conference Room A, Frankfort, KY 40601**

**December 8, 2014**

### **Monday, December 8, 2014**

**9:00 AM EST      Call to Order**

**Roll Call**

**Open Speak**

**Recognition of Former EPSB Member**

#### **Approval of Consent Items**

- A. October 13, 2014, EPSB Minutes (**Pages 1-26**)
- B. Master of Arts in Education – Teacher Leader, University of Pikeville (Dr. Kim Walters-Parker) (**Pages 27-30**)
- C. Moderate and Severe Disabilities Grades P-12 Initial (MAEd.), Georgetown College (Dr. Walters-Parker) (**Pages 31-34**)
- D. Moderate and Severe Disabilities Grades P-12 Option 6 (MAEd.), Georgetown College (Dr. Walters-Parker) (**Pages 35-42**)

#### **Report of the Executive Director**

- A. Report from the Kentucky Department of Education
- B. Report from the Council on Postsecondary Education
- C. Strategic Plan Update (Mr. Jimmy Adams)
- D. Kentucky Advisory Council on Internships (KACI) Update (Ms. Donna Brockman)
- E. Supporting Educator Effectiveness Development (SEED) Grant Update (Ms. Brockman; Ms. Suzanne Farmer; Ms. Lauren Hill)
- F. Council for the Accreditation of Educator Preparation (CAEP) Update (Dr. Kim Walters-Parker)

#### **Report of the Chair**

Report from the Committee to Review the Evaluation of the Executive Director Committee

**Information/Discussion Items**

- A. 16 KAR 1:030. Procedures for Certificate Revocation, Suspension, Reinstatement and Reissuance, and Application Denial, Amendment, Notice of Intent (Ms. Alicia Sneed) **(Pages 43-50)**
- B. Determining Probable Cause to Take Disciplinary Action Procedure, Amendment, Notice of Intent (Ms. Sneed) **(Pages 51-58)**
- C. New Policy: Policy and Procedure Development and Regulatory Promulgation Procedure, Notice of Intent (Ms. Sneed) **(Pages 59-62)**

**Action Items**

- A. 2015 Legislative Agenda (Ms. Sneed) **(Pages 63-66)**
- B. 16 KAR 6:010. Written Examination Prerequisites for Teacher Certification, Amendment, Final Action (Ms. Brockman) **(Pages 67-88)**

**Waiver**

16 KAR 8:030. Request to Waive Continuing Education Option Requirements, Ms. Brandy Dermitt (Ms. Brockman) **(Pages 89-92)**

**Alternative Route to Certification Application**

Steven Rahe, Theatre, All Grades (Mr. John Fields) **(Pages 93-95)**

**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: February 9, 2014  
EPSB Offices

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*The actions delineated below were taken in open session of the EPSB at the October 13, 2014, 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, 3<sup>rd</sup> Floor, Frankfort, KY 40601*

<p style="text-align: center;"><b>Education Professional Standards Board (EPSB)</b> <b>Summary Minutes of the Meeting</b> <b>EPSB Offices, 100 Airport Road, 3<sup>rd</sup> Floor</b> <b>Frankfort, Kentucky</b></p>
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### Consent Item A

#### Call to Order

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

#### Roll Call

The following Board members were present during the October 13, 2014, EPSB meeting: Ellen Blevins, Barbara Boyd, Amanda Ellis, Tolya Ellis, Allen Kennedy, Marie McMillen, Mary John O'Hair, Michael Ross, Laura Schneider, Anthony Strong, Shannon Treece, Cassandra Webb, David Whaley, and April Wood. Brandy Beardsley and Sandy Sinclair-Curry 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 was one request for Open Speak.

#### Mary Ruble

Mary Ruble, Assistant Executive Director of the Kentucky Education Association, expressed the association's opposition to the current disciplinary process. She said the current disciplinary process is obscure and lacks transparency. She said the draft changes to the disciplinary regulations presented to the Board at the August meeting do not contain the information needed to be transparent and just.

#### 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. Mr. Anthony Strong asked that the August minutes be amended to include the vote totals for chair and vice chair. Chair Webb asked Board secretary Ashley Abshire to send those vote totals to the Board once the minutes were amended. No items were asked to be pulled for further discussion.

#### 2014-057

*Motion made by Mr. Mike Ross, seconded by Dr. David Whaley, to approve the following items on the consent agenda:*

Approval of July 20-21, 2014, EPSB Retreat Minutes

Approval of August 11, 2014, EPSB Minutes

2014-15 Emergency Non-Certified School Personnel Program

Gifted Education P-12 Endorsement (Graduate Level) – Union College

Visual Impairments Grades P-12 Initial (Graduate Level), Visual Impairments Grades P-12 Option 5 (Graduate Level) – University of Kentucky

**Vote:** *Unanimous*

Dr. Kim Walters-Parker recognized representatives from Union College and University of Kentucky whose program were approved.

**Report of the Executive Director**

Report from the Kentucky Department of Education (KDE)

Dr. Amanda Ellis provided updates to the Board on the Professional Growth and Evaluation System (PGES). Mr. Anthony Strong asked if opportunities are provided to help teacher educators explain to student teachers the changes to the evaluation. Dr. Ellis said that many conversations in early spring were made with higher education partners. KDE staff has also been attending higher education faculty meetings to discuss the PGES framework and how the framework will be implemented. KDE regional field staff is also available to help. Board member Marie McMillen said that local Kentucky Education Association offices will offer trainings too.

Report from the Council on Postsecondary Education (CPE)

Dr. April Wood informed the Board of recent events at CPE:

\* Kentucky Core Academic Standards Modules- CPE staff has posted the five revised Kentucky Core Academic Standards Modules and the new Next Generation Science Standards training modules at the following link on the CPE website: <http://www.kycorestandards.org/>. These online modules are used to meet the Senate Bill 1 (2009) training requirements for the EPSB. All postsecondary College of Education faculty and faculty involved in preparing teacher candidates in elementary education, middle and secondary English and language arts, math, science, and/or STEM, and vocational faculty that work with science, math and STEM are required to view the modules.

\* Core to College- CPE has been granted an extension from the Rockefeller Philanthropy Institute through June 2015 based upon the budget plan submitted and approved by staff at Core to College and Rockefeller Philanthropy Institute. The evaluation report on the Partnership Academies by Indiana University's Center for Evaluation and Education Policy has been received and reviewed. CPE staffs are incorporating the recommendations of that report in a new RFP for Partnership Academies. CPE was awarded a Core to College Communication Grant and is in the process of developing an RFP to solicit a vendor to create the brand and website for the online catalog of professional learning activities and providers.

\* Clinical Preparation of Teachers- Representatives from the three clinical sites met in August at the University of Louisville classroom in Westport Middle School. Discussion topics included updates of clinical teacher preparation activities, sustainability, and changes to teacher preparation through the clinical experience. The sites responded to a Year One Evaluation, reporting progress and updates.

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\* Improving Educator Quality Grants (IEQ)- The year 13 proposals are due in September and awards will be announced in November. Final reports and evaluations are due October 30, 2014 for year 11.

### Strategic Plan Update

Deputy Executive Director Jimmy Adams reviewed four updates to the strategic plan:

- \* Goal 1: Mr. Adams presented progress made for the individual activities pertaining to Goal 1. Progress was made for each activity.
- \* Goal 2: Feedback on the development of an online system for school district human resource directors has been received from EPSB legal staff and changes are currently underway. A long list of ethical seminars and trainings provided by EPSB legal staff was provided to the Board. Feedback has been received by EPSB legal staff and changes are underway on monitoring the number of active/open cases that have been referred to a full investigation and due process hearing.
- \* Goal 3: The KTIP Pilot for KTIP alignment to PGES is currently underway. EPSB staff is currently gathering information to conduct an advisory meeting session to determine what data needed for KTIP and what data is collected in CIITS for TPGES that can be imported into IMS. The KTIP pilot for KTIP alignment to PGES is currently underway with feedback gathering tools being developed for cycle 1. Private schools are represented in the pilot and will provide feedback on how best to conduct training and what trainings will be needed.
- \* Goal 4: The EPSB October agenda included an information item to discuss internal policies and procedures. The Board chair implemented the Plus-Delta system at the July EPSB retreat for Board feedback for continuous improvement at EPSB meetings and planning.

### Network for Transforming Educator Preparation (NTEP)

Professional Learning and Assessment Division Director Donna Brockman updated the Board on the alignment of the Kentucky's educator growth and effectiveness system with the Kentucky Teacher Internship Program. Key points she highlighted during her update were the following:

- \* A pilot with 22 districts, including a non-public school is currently underway
- \* Training for principals, resource teachers, and teacher educators is being developed with a goal of being ready to use by the end of February. A few thousand educators will need to be trained on the new system.
- \* Data is being gathered from pilot districts through online feedback surveys following cycles I, II, and III
- \* Regional focus groups will be brought together in the spring of 2015

A presentation from the Kentucky Advisory Council on Internships (KACI) will be made to the Board at the December EPSB meeting.

Educator Preparation Division Director Kim Walters-Parker and Dr. Laurie Henry, Associate Professor at the University of Kentucky, updated the Board on the development of the continuous assessment model for educator preparation and accountability. Key points on their update were the following:

- \* A project manager to develop the continuous assessment model was recently hired.

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- \* EPSB staff is working with CAEP to make sure the EPSB work is in alignment
- \* EPSB staff is working with KITEP to define data expectations
- \* On October 10, 2014, an email was sent from CAEP to EPSB staff indicating that a draft of the CAEP handbook will be sent soon for feedback. It is anticipated that the handbook will be released in early 2015.
- \* Dr. Henry said the NTEP meeting in Danvers gave her an opportunity to think broadly what it means to be a teacher educator and clinical faculty member.

Deputy Executive Director Jimmy Adams updated the Board on engagement and communication with NTEP. Key points he highlighted during his update were the following:

- \* Online portal is open
- \* Presentations concerning the work of NTEP have been made at education cooperatives, agency, and organization meetings
- \* Feedback is being received both online and in person at those meetings

Executive director Robert Brown discussed with the Board beginning conversations with multi-tied licensure and career pathways.

### Supporting Effective Educator Development (SEED) Grant Update

Ms. Donna Brockman introduced Suzanne Farmer as the grant coordinator for the SEED grant, now called Ky NT3 (Kentucky Network to Transform Teaching). Ms. Farmer said the EPSB was assigned as the fiscal agent of this grant, while KDE and KEA serve as site partners. She identified Lauren Hill as a hybrid teacher for KY NT3. Ms. Hill was unable to attend the EPSB meeting because she was teaching. Ms. Suzanne Farmer said the grant is funded by the USDOE through the National Board for Professional Teaching Standards. Recruiting is a large aim for the grant. The design of the NT3 grant necessitates the expansion and refinement of a regional system of National Board Ambassadors who can work in their neighboring districts to recruit candidates personally and through orientation programs. Another large aim of the grant is improving career pathways and opportunities for teacher leaders. Several conferences and meetings have been held including the first advisory council. Representatives from national and state agencies make up this 34 member council. Currently, the team is working through the recruitment and selection of contracted workers. As soon as these issues are resolved, the team will immediately work to implement larger projects including candidate supports, Classroom Teachers Enacting Positive Solutions (CTEPs) cohort, and candidate blogging cohort. Longer range projects include the Teacher Leadership Symposium, STEM outreach, and Higher Education Symposium.

### 2014 EPSB Annual Report

Executive Director Robert Brown reviewed the EPSB annual report. He asked Board members to let him know if there are additions they would like to see made to the annual report in the future.

### New State Government Tobacco-Free Policy

Executive director Brown informed the Board that a new state government tobacco-free policy has been established by the Governor. It will become effective November 20, 2014. All state

government offices will be tobacco-free, including areas outside state- owned buildings, including parking lots.

### **Report of the Chair**

Chair Cassandra Webb welcomed the new vice chair, Dr. Mary John O’Hair, and said she is looking forward to her leadership on the Board with a higher education perspective. Chair Webb said she is still blessed with former vice chair, Mr. Anthony Strong, and thanked him for his support to her as chair and service to the Board.

Chair Webb welcomed the new dean of the Northern Kentucky University College of Education and Human Services, Dr. Cynthia Reed.

### **Report from the Committee to Review the Evaluation of the Executive Director**

The committee to review the evaluation of the executive director consists of Anthony Strong (chair), Ellen Blevins, and Allen Kennedy. Mr. Strong gave the following three key points for the Board to consider: 1) The timeline for the evaluation is currently based upon a fiscal year. The Board may wish to consider a calendar year. 2) The way staff input is currently used for evaluations should be revisited. 3) The goals from which the executive director is evaluated need to be revised.

Mr. Brown’s evaluation is schedule for February 2015 so any changes to the current policy will not affect the process for that evaluation.

Mr. Strong said he will bring recommendations for changes to the evaluation of the executive director in writing to the December EPSB meeting which will include a draft of the process and a draft of the goals and evaluation form that are used as part of the evaluation. Whatever the Board decides on the evaluation process in December can then be given to the strategic planning committee to work on and make further recommendations to the Board.

### **Appointments**

#### **Appointments to the Teacher Leader Masters Review Committee**

Chair Webb made the following appointments to the Teacher Leader Masters Review Committee: Melinda D’Amico, Dr. Carmen Coleman, Dr. April Wood.

### **Presentations**

#### **Program and Accreditation Review Committee (PARC) Updates**

Ms. Allison Bell, education consultant for the educator preparation division, said she works most closely with the program review process and accreditation. This division has been working closely with PARC. As part of that work, the committee is in the process of redesigning the way programs are reviewed. The first PARC recommendation was to create a program template with technical support. In anticipation of their accreditation visit next fall, the University of Kentucky was in the process of getting programs ready for the state program review process and agreed to pilot the new program template. The following representatives of the University of Kentucky were present to share their experiences with the program template: Dr. Melody Noland, Department Chair of Kinesiology; Dr. Margaret Rintamaa- Program Chair for Middle School Education; Dr. Rosetta Sandidge, Associate Dean for Accreditation , Assessment, and Planning; and Dr. Katherine McCormick, Associate Professor in IECE.

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The main reflection on the program template was that the program template does not align well for all the programs, mostly just the initial certification programs. Technology is working on aligning all of the programs to the template.

### Teach for America (Dr. Walters-Parker, Mr. Will Nash)

Mr. Will Nash, director for Teach for America (TFA) Appalachia, gave the history on TFA. TFA is one of the 8 alternative routes to certification options for individuals to become teachers. It was established in Kentucky during the 2010 legislative session as part of the Race to the Top application. Eligible candidates must hold a bachelor's degree with an undergraduate cumulative GPA of at least 2.5, pass the Praxis test, and make a two year commitment to the school district. Candidates also go through KTIP. TFA works across Kentucky to help districts find qualified candidates especially in high demand areas. The last time Mr. Nash presented TFA was only hiring in 4-5 school districts. With 16 districts now hiring TFA candidates, today there is more demand than TFA can fill, especially in math. Dr. Walters-Parker stated that right now TFA is adding room for demand but long-term she hopes there is not a need for TFA.

### **Information/Discussion Items**

#### Awarded Contracts

Deputy Executive Director informed the Board of 8 new KTIP contracts, a new prosecuting attorney contract, and 2 new contracts pertaining to the SEED grant.

#### 16 KAR 1:030. Procedures for Certificate Revocation, Suspension, Reinstatement and Reissuance, and Application Denial, Amendment, Notice of Intent, Determining Probable Cause to Take Disciplinary Action Procedure, Amendment, Notice of Intent, New Policy: Policy and Procedure Development and Regulatory Promulgation Procedure, Notice of Intent

Mr. Anthony Strong said that due to recent information given to the Board, along with comments from Mary Ruble during Open Speak, he would like more time to look at the documents and review the written comments from Mary Ruble before discussing the next three information items on the agenda.

### **2014-058**

*Motion made by Mr. Anthony Strong, seconded by Dr. David Whaley, to postpone Information Items B, C, and D until the December meeting.*

**Vote:** *Unanimous*

Board discussion ensued. Mr. Strong asked that the December agenda be light and focused on this work. Chair Webb agreed that this has been a lengthy issue that the Board needs to make a decision on. All pertinent information needed for the Board to make a decision will be made available for the December meeting including information in the packets at the October meeting. Chair Webb encouraged Board members to request information from EPSB staff if needed to feel prepared prior to the December meeting.

#### 16 KAR 6:010. Written Examination Prerequisites for Teacher Certification, Amendment, Notice of Intent

Ms. Donna Brockman reviewed proposed changes to 16 KAR 6:010. Most of the changes were due to the assessments being regenerated because the written version of the test was



discontinued. This item will be brought back at the December EPSB meeting as an action item for consideration of final approval.

**Action Items**

16 KAR 5:060. Literacy Preparation for Teachers of Middle and High School Students, Amendment, Final Action

Dr. Walters-Parker summarized some concerns from the proposed regulation amendment that were submitted to EPSB staff after input from stakeholders was encouraged at the August EPSB meeting. A specific literacy course is not required to fulfill the literacy requirements. Program templates are being developed to help institutions understand how to meet the literacy requirements.

**2014-059**

*Motion made Ms. Marie McMillen, seconded by Ms. Shannon Treece, to accept the proposed amendments to 16 KAR 5:060.*

**Vote:** *Unanimous*

**Waivers**

16 KAR 8:030. Request to Waive Language to Allow for an Extension to Complete the Continuing Education Option Program, Mr. David Stark

**2014-060**

*Motion made by Ms. McMillen, seconded by Mr. Allen Kennedy, to accept the waiver and allow an extension of time for CEO work for Mr. David Stark.*

**Vote:** *Unanimous*

16 KAR 7:010. Request to Waive Language Pertaining to KTIP Requirements and Appeal, Mr. Nathan Pitts

**2014-061**

*Motion made by Ms. McMillen, seconded by Dr. Mary John O'Hair, to approve the waiver request and allow Mr. Nathan Pitts to complete KTIP as identified in 16 KAR 7:010 pertaining to KTIP requirements and appeal.*

**Vote:** *Unanimous*

16 KAR 2:010. Request to Waive Grade Level Range Requirements, Bell County

**2014-062**

*Motion made by Ms. McMillen, seconded by Mrs. Ellen Blevins, to approve the waiver request for the identified teacher for Bell County.*

**Vote:** *Unanimous*

**Alternative Route to Certification Applications**

Eric Cecil, Computer Information Systems, Grades P-12

**2014-063**

*Motion made by Ms. McMillen, seconded by Ms. Laura Schneider, to approve the alternative route to certification application for Eric Cecil.*

**Vote:** *Unanimous*

Donna Neary, Social Studies, Grades 8-12

**2014-064**

*Motion made by Ms. McMillen, seconded by Ms. Schneider, to approve the alternative route to certification application for Donna Neary.*

**Vote:** *Unanimous*

**Board Comments**

There were no Board comments.

**DISCIPLINARY MATTERS:  
MINUTES OF CASE REVIEW  
October 13, 2014**

*Motion made by Mr. Allen Kennedy, 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 Mr. Kennedy, 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:

Cassandra Webb, Michael Ross, Ellen Blevins, David Whaley, Laura Schneider, Tolya Ellis, Allen Kennedy, Anthony Strong, Barbara Boyd, April Wood, Mary John O’Hair and Shannon Treece.

Attorneys present were Alicia A. Sneed, Cassandra Trueblood, Whitney Crowe, Gary Stephens, Chelsea Fannin, Eric Ray, and Angela Evans.

**Initial Case Review**

<b><u>Case Number</u></b>	<b><u>Decision</u></b>
1405339	Admonish
1407433	Hear

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1407403	Defer for training
1407409	Hear
1407442	Hear
1407417	Defer for training
1407419	Dismissed
1407405	Dismissed
1407393	Defer for training
1408522	Hear
1407421	Dismissed
1405343	Admonish ( <i>Mr. Ross and Ms. Webb recused</i> )
1405257	Admonish ( <i>Ms. Blevins recused</i> )
1406366	Admonish
1406360	Admonish
1406389	Hear
1407468	Hear
1408516	Defer for training
1407427	Defer for training
1408570	Admonish
1405291	Hear
1406387	Hear
1407395	Hear
1407471	Hear
1408574	Defer
1405329	Defer for training
1407438	Defer for training
1405353	Hear
1405331	Hear
1407475	Hear
1407480	Admonish
1407435	Hear
1309636	Hear
1405333	Hear
1405341	Hear
1407399	Hear
1407397	Hear
1408560	Hear
1408597	Hear
1408504	Hear
1407401	Hear
1405337	Hear
1405345	Dismissed
1405262	Hear
1407423	Hear
1407431	Hear
1407413	Dismissed
1408599	Admonish

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1407473	Hear
1407484	Hear
1407486	Hear
1407482	Hear
1408492	Hear
1408601	Hear
1407407	Hear
1408564	Hear
1307555	Admonish
1305337	Dismissed
1405285	Hear
1405351	Dismissed

### **Character/Fitness Review**

<b><u>Case Number</u></b>	<b><u>Decision</u></b>
14866	Approve
14868	Approve
14871	Deny
14877	Approve
14886	Approve
14890	Deny
14929	Approve
14928	Deny
14847	Deny
14931	Approve
14893	Deny
14942	Approve
14954	Deny
14926	Deny
14964	Approve
14978	Approve
14992	Approve
14996	Approve
14997	Deny
14999	Approve
141001	Approve
141014	Approve
141026	Approve
141030	Approve
141031	Deny
141042	Deny
141045	Approve
141027	Approve
141067	Approve

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141070	Approve
141077	Approve
141081	Approve
141088	Deny
14733	Approve
141056	Approve
141072	Deny
14821	Approve
14817	Approve
14961	Approve
14872	Approve
14909	Approve
14900	Approve
14921	Approve
14907	Approve
14935	Approve
14579	Approve
14946	Approve
14975	Approve
14717	Deny
14986	Approve
141022	Approve
141040	Approve
141060	Approve
14923	Approve
141083	Approve
141080	Approve
141087	Approve
141091	Approve

### Agreed Orders

#### Case Number

#### Decision

1303201 (Diana Hunter)

Accept Agreed Order which states that, by December 1, 2014, Respondent shall provide written proof to the Board that she has completed a professional development/training course in the area of recognizing and reporting dependency, neglect, and abuse of children, as approved by the Board. Any expenses required for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, her certificate shall be automatically suspended until Hunter completes the required training and provides the appropriate written proof to the Board.

**Vote:** *Unanimous*

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- 1307485 (Jennifer Tilford) Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher and for engaging in dishonest conduct by falsifying an application for teacher certification. As an educator, Respondent has a duty to maintain the dignity and integrity of the profession and to refrain from committing any act that constitutes fraudulent, corrupt, dishonest, and/or immoral conduct. In the future, the Board expects Respondent to uphold the Professional Code of Ethics for Kentucky Certified School Personnel and will not tolerate any further incidents of misconduct. Respondent's certificate, including any and all endorsements, shall be subject to the following probationary conditions for a period of five (5) years from the date the Board accepts this Agreed Order:
1. On or before January 1, 2015, Respondent shall submit written proof to the Board that she 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 required for said training shall be paid by the Respondent. If Respondent fails to comply with the requirements of this paragraph on or before January 1, 2015, Respondent's certificate, and any future endorsements or new areas of certification, shall be automatically suspended until the required written proof is submitted to the Board.
  2. For the entirety of the probationary period, Respondent shall neither be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. 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.
  3. For the entirety of the probationary period, Respondent shall submit current national and state criminal background reports to the Board with any application for renewal of her certification(s) and/or for additional certification(s). Any expense for the national and state criminal background reports 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 during the probationary period.
- Respondent is aware that should she violate KRS 161.120, at any time during the five (5) year probationary period, the

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Board shall initiate new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

1302131 (Machelle Bates) Accept Agreed Order suspending Respondent's certificate for a period of six (6) months beginning September 1, 2012. Upon acceptance of this agreement by the Board, Respondent 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, Third Floor, Frankfort, Kentucky 40601. Additionally, Respondent must provide written proof, on or before October 1, 2014, that she has completed three (3) hours of Board-approved training/professional development in the area of ethics. Any expense for this training shall be paid by Respondent. Should Respondent fail to provide proof of this training by October 1, 2014, her certificate shall be suspended and will remain suspended until she provides proof of the training.

**Vote:** *Unanimous*

1403149 (Belinda Minor) Accept Agreed Order reminded Respondent that, as a certified educator, she has a duty to treat all students with dignity and respect. Respondent shall provide written proof, on or before June 1, 2015, that she has completed six (6) hours of Board-approved professional development/training in the area of classroom management. Should Respondent violate this condition, her certificate shall be suspended and shall remain so until she has provided proof of the training.

**Vote:** *Unanimous*

140244 (Chad Carroll) Accept Agreed Order suspending Respondent's certificate, including any and all endorsements, for a period of sixty (60) days beginning January 3, 2014. Upon acceptance of the agreed order by the Board, Respondent shall immediately surrender his certificate and all copies of the certificate, by mail or personal delivery to the EPSB, 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, KY 40601. Upon reinstatement after the sixty (60) day suspension period, Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of two (2) years.

1. By August 1, 2014, Respondent shall undergo a comprehensive substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor as

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approved by the Board and shall present written evidence to the Board that he has complied with the assessment process and has successfully completed any and all treatment recommendations. If Respondent is not able to complete all treatment recommendations by August 1, 2014, he shall submit quarterly written progress reports from his chemical dependency counselor until such time as the counselor releases him from treatments. If Respondent has not successfully completed all treatment recommendations by the end of the two (2) year probationary period, Respondent agrees that the probationary period shall be extended and he shall submit quarterly written progress reports from the chemical dependency counselor to the Board until such time as the counselor releases him from treatment. Any expense for the assessment, treatment and/or reports shall be paid by Respondent.

2. By December 1, 2014, Respondent shall provide written proof to the Board that he has received twelve (12) hours of professional development/training in ethics as approved by the Board. Any expense for this professional development/training in ethics shall be paid by Respondent.

3. Respondent shall be subject to random drug testing and shall have no positive drug tests during the two (2) year probationary period.

By entering into this Agreed Order, Respondent agrees that should he fail to satisfy any of these conditions, his certificate shall be automatically suspended for a period of six (6) months. If applicable, at the conclusion of the six (6) month suspension, Respondent's certificate shall remain suspended until such time as all of the above conditions are met.

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

**Vote:** *Unanimous*

1211764 (Robert Berry)

Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. This Board reminds Respondent that, as an educator, he has a duty to treat all students and fellow staff members with dignity and respect. The Board will tolerate no further misconduct by Respondent. Respondent shall provide written proof, on or before August 1, 2015, that he has completed six (6) hours of professional development/training in educator ethics and six (6) hours of professional development/training in



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classroom management. Any expense for this training shall be paid by Respondent. Should Respondent fail to provide proof of this training by August 1, 2015, his certificate shall be suspended and will remain suspended until he provides proof of the training.

**Vote:** *Unanimous*

CF10408 (Joe Driver)

Accept Agreed Order which states that the Tennessee State Board of Education reinstated Respondent's teaching license on April 20, 2012. Based on the reinstatement, and 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.

**Vote:** *Unanimous*

1010590 (Joey Tate)

Accept Agreed Order in which Respondent voluntarily surrenders his certificate. Respondent shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future.

Respondent shall surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601.

**Vote:** *Unanimous*

1201101 (Chadwick Bugbee)

Accept Agreed Order admonishing Respondent for breach of contract. By accepting a position at the district and signing a contract, Respondent had a duty to fulfill that contract and to provide a quality education to the students in his charge. Failing to come to work leaves the district in a difficult position and seriously hinders the progress of the students. The Board will not tolerate any further incidents of misconduct by Respondent.

**Vote:** *Unanimous*

1206373 (Paula Noble)

Accept Agreed Order revoking Respondent's certificate for a period of five (5) years beginning August 1, 2012. Upon acceptance of this agreement by the Board, Respondent 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, Third Floor, Frankfort, Kentucky 40601.

Prior to the reissuance of Respondent's certificate at the conclusion of the five (5) year revocation period, Respondent shall comply with the following:

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1. Respondent must submit a copy of her current criminal background check. If there are any new convictions, other than minor traffic violations, Respondent's certificate will not be reinstated.

2. Respondent shall provide written proof that she has completed twelve (12) hours of professional development/training in the area of educator ethics. Any expense for this training shall be paid by Respondent.

3. Respondent shall provide written proof that she has completed all requirements in US District Court Case No. 5: 11-CR-142-KKC.

Upon reinstatement, Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to the following probationary condition for the lifetime of the certificate:

1. On or before July 1 of each year of the probationary period, Respondent must submit a current copy of her criminal background check. If there are any new convictions, other than minor traffic violations, Respondent's certificate will be revoked.

**Vote:** *Unanimous*

140231 (Jon Allen)

Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. As an educator, Respondent has a duty to create and maintain a classroom environment that is conducive to learning and appropriate to the maturity and interests of the students. Respondent violated this duty by having inappropriate conversations with students and by failing to properly supervise the students in his care. The Board will tolerate no further acts of misconduct by Respondent.

Respondent shall provide written proof, on or before September 1, 2015, that he has completed six (6) hours of Board approved professional development/training in the area of classroom management, and six (6) hours of Board approved professional development/training in the area of student/teacher boundaries. Any expense for the training shall be paid by Respondent. Should Respondent fail to provide proof of the training, his certificate shall be suspended and will remain suspended until he provides proof of the training.

**Vote:** *Unanimous*

08020637 (Jeff Morrow)

Accept Agreed Order admonishing Respondent for violating KHSAA Bylaws 10 and 26. The Board reminds Respondent that as a teacher in the Commonwealth of Kentucky, he has a duty to maintain the dignity and

## Agenda Book

integrity of the profession. As a coach, Respondent must also be aware of and follow all KHSAA bylaws.

**Vote:** *Unanimous*

1310708 (James Price)

Accept Agreed Order admonishing Respondent for failing to uphold the dignity of his profession. The Board reminds Respondent that as an educator, he is a role model both to his students and his community. As such, he has a duty to act with honesty and integrity in all dealings.

On or before January 1, 2015, Respondent shall submit written proof to the Board that he has successfully completed the following, each approved by the Board and at his own expense.

1. Redbook training; and
2. Twelve (12) hours of ethics training.

Should Respondent fail to satisfy these conditions, his certificate shall be automatically suspended and remain so until all conditions are met.

Upon entry of this Order, Respondent's certificate shall be subject to the following probationary condition for a period of five (5) years. Respondent shall not be convicted of any misdemeanor or felony. If Respondent violates this condition, the Board shall automatically suspend his certificate for a period of two (2) years and may seek additional sanctions pursuant to KRS 161.120.

**Vote:** *Unanimous*

1305363 (Megan Kem)

Accept Agreed Order which states that, on or before January 1, 2015, Respondent shall provide written proof to the Board that she has successfully completed three (3) hours of Administration Code training, as approved by the Board. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, Respondent's certificate, and any future endorsements or new areas of certification, shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

On or before July 1, 2015, Respondent shall submit written proof to the Board that she has successfully completed a course, 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 satisfy this condition, Respondent's certificate, and any future endorsements or new areas of certification, shall be automatically suspended

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until Respondent completes the required training and provides the appropriate written proof to the Board. This agreement is expressly conditioned upon Respondent agreeing to testify truthfully in any hearing involving her co-Respondents at the Board's request. Should Respondent refuse to do so at any point in the future, the Board may void this Order, reopen this case, and seek additional sanctions against Respondent's certificate.

**Vote:** *Unanimous*

1405255 (James Gardner)

Accept Agreed Order which states 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. Any future application submitted by Respondent, or on his behalf, shall be denied.

**Vote:** *Unanimous*

1309649 (Mark Cochran)

Accept Agreed Order which states 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. Any future application submitted by Respondent, or on his behalf, shall be denied.

**Vote:** *Unanimous*

1409659 (Jeremiah Almond)

Accept Agreed Order in which Respondent voluntarily, knowingly, and intelligently surrenders his 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, Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

**Vote:** *Unanimous*

1405303 (Andrea Opell)

Accept Agreed Order in which 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, Respondent 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.

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**Vote:** *Unanimous*

1208489 (Glenda Schuster) Accept Agreed Order which states that Respondent shall provide written proof to the Board, by December 1, 2014, that she has received twelve (12) hours of Board approved professional development/training in the areas of ethics and bullying awareness and prevention. Should Respondent violate this condition, her certificate shall be suspended and will remain so until the condition is met. Any expense incurred for said training shall be paid by Respondent.

**Vote:** *Unanimous*

0804782 (Lincoln Bentley) Accept Agreed Order which states that Respondent's certificate expired in 2013. Should Respondent decide to return to the education profession in the future, he must provide proof of the following prior to being issued or reissued a certificate:  
Respondent shall provide written proof that he has completed twelve (12) hours of professional development/training in the area of educator ethics, with an emphasis on student/teacher boundaries. Any expense for this training shall be paid by Respondent. Should Respondent violate this condition, his certificate shall be suspended until he has completed the training requirement.

**Vote:** *Unanimous*

1312893 (Danny Scalf) Accept Agreed Order permanently revoking Respondent's certificate. Respondent shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future. Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601.

**Vote:** *Unanimous*

1307541 (Brittany Arnel) Accept Agreed Order admonishing Respondent for insubordination and neglect of duty by failing to properly supervise her students, and follow district policies. The Board reminds Respondent that she has a duty to take reasonable measures to protect the health, safety, and emotional well-being of her students, and to maintain the integrity of the profession both inside and outside the classroom. The Board will not tolerate any further incidents of misconduct from Respondent.  
Upon acceptance of this agreement by the Board, Respondent's certificate is suspended for five (5) days

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retroactively from April 8, 2013 through April 12, 2013. Respondent 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, Third Floor, Frankfort, Kentucky 40601. Furthermore, any certificate the Board has issued or will issue to or on behalf of Respondent, shall be subject to the following probationary conditions:

1. On or before March 1, 2015, Respondent shall provide written evidence to the Board from a Kentucky licensed or certified psychiatrist or mental health professional that she has complied with a comprehensive evaluation and is fit to return to the classroom, presents as capable of performing her duties as a teacher, is not a danger to herself or others, and is compliant with all treatment recommendations. The financial cost of any evaluation, treatment, and/or report is to be paid by Respondent. Should Respondent fail to satisfy this condition by March 1, 2015, Respondent's certificate shall be automatically suspended until such condition is satisfied.

2. On or before September 1, 2015, Respondent shall submit written proof to the Board that she has completed twelve (12) hours of professional development/training in the area of educator ethics, with an emphasis 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. If Respondent fails to satisfy this condition by September 1, 2015, Respondent's certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

3. Respondent shall not receive any disciplinary action involving neglect of duty from any school district in which she is employed. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process, including any appeal therefrom. If Respondent fails to satisfy this condition, Respondent's certificate shall be automatically suspended for a period of thirty (30) days and subject to additional sanctions by the Board pursuant to KRS 161.120.

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

**Vote:** *Unanimous*

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1302163 (Joseph Hazelwood)

Accept Agreed Order which states that Respondent shall be issued a teaching certificate in Kentucky only after completing a traditional educator preparation program or meeting the requirements for issuance of an alternative certificate under KRS 161.048. Respondent shall not be eligible for an emergency teaching certificate or emergency substitute certificate until he has been issued either a statement of eligibility or a temporary provisional certificate.

Additionally, at the time of application for certification, Respondent shall submit proof that he has completed the following conditions:

1. Respondent shall provide written proof to the Board that he has received twelve (12) hours of professional development/training in the area of educator ethics, with a focus on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, he will not be issued a certificate until proof of completion has been received by the Board; and

2. Respondent shall provide, in addition to any criminal background reports required for certification, a copy of his criminal background check from the Administrative Office of the Courts dated within a month of the date his application is submitted to the Board. Respondent shall have no pending criminal charge(s), pending sentence(s) of probation or diversion, or conviction(s), other than minor traffic violations, within the five (5) year period prior to the date his application is submitted to the Board. A violation is not considered a minor traffic violation if it is a violation for which jail time may be imposed.

Failure to meet any of these conditions will result in a denial of the application for certification. 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*

1302104 (Rick Martin)

Accept Agreed Order suspending Respondent's certificate for a period of two (2) years retroactively from October 19, 2009 through October 19, 2011. Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601.

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Prior to reinstatement of Respondent's certificate, Respondent shall complete the following reinstatement conditions:

1. Respondent shall submit written proof to the Board that he has completed twelve (12) hours of professional development/training in the area of educator ethics, with an emphasis 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.
2. Respondent shall submit written proof to the Board that he has completed a course on the "Accounting Procedures for Kentucky School Activity Funds," commonly known as Redbook training, as approved by the Board. Any expense required for said training shall be paid by Respondent. 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*

1311819 (Paul Marsh)

Accept Agreed Order admonishing Respondent for exhibiting a lack of professional judgment in his interactions with students. The Board reminds Respondent that as a certified teacher, it is his responsibility to set and maintain appropriate boundaries with his students, and to always be mindful of their reaction to his teaching methods in order to promote a positive learning environment for all. The Board will not tolerate any further incidents of misconduct from Respondent.

Upon acceptance of this agreement by the Board, Respondent's certificate and any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of three (3) years:

1. On or before December 1, 2015, Respondent shall provide written proof to the Board that he has successfully completed twelve (12) hours of educator ethics professional development or training, which shall include a component on appropriate teacher/student boundaries and on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition by December 1, 2015, Respondent's certificate shall be automatically suspended until such condition is satisfied. Respondent has provided written proof that he has completed six (6) of the required twelve (12) hours of educator ethics on appropriate teacher/student boundaries.



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2. On or before December 1, 2015, Respondent shall provide written proof to the Board that he has successfully completed a course, as approved by the Board, on sexual harassment awareness. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition by December 1, 2015, Respondent's certificate shall be automatically suspended until such condition is satisfied.

3. Respondent shall not receive any disciplinary action involving inappropriate teacher/student boundaries from any school district in which he is employed. Should Respondent fail to satisfy this condition, Respondent's certificate shall be automatically suspended for a period of thirty (30) days and subject to additional sanctions by the Board pursuant to KRS 161.120.

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

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*

13018 (Darren Brown)

Accept Agreed Order permanently revoking Respondent's Administrative Certificate. Respondent shall neither apply for, nor be issued, an administrative certificate in the Commonwealth of Kentucky at any time in the future.

Additionally, Respondent's teaching certificate is retroactively revoked for a period of four (4) years, beginning January 1, 2013. Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Prior to reissuance of Respondent's teaching certificate, Respondent shall complete the following reissuance conditions:

1. Respondent shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed or certified chemical dependency counselor, as approved by the Board. Respondent shall also submit written proof to

the Board that he has successfully completed any and all treatment recommendations, if any, by the end of the revocation period. If Respondent is not able to complete all treatment recommendations by the end of the revocation period, he shall submit written progress reports from his chemical dependency counselor on January 1st and July 1st until such time as the counselor releases him from treatment. Each progress report shall certify that Respondent is continuing to comply with any and all treatment recommendations, and that he remains fit and competent to fulfill his duties as an educator. Any expense for the assessment, treatment, and/or written reports shall be paid by Respondent.

2. Respondent shall submit written proof to the Board that he has completed twelve (12) hours of professional development/training in the area of educator ethics, with an emphasis 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.

3. Respondent shall submit written proof to the Board that he has completed twelve (12) hours of professional development/training on the "Accounting Procedures for Kentucky School Activity Funds," commonly known as Redbook training, as approved by the Board. Any expense required for said training shall be paid by Respondent. If Respondent fails to satisfy either training requirement prior to the conclusion of the four (4) year revocation period, Respondent's teaching certificate shall not be reissued until Respondent completes the required training and provides the appropriate written proof to the Board. Upon reissuance, Respondent's teaching certificate shall be on probation for a period of two (2) years and subject to the following probationary conditions:

1. In accordance with KRS 161.175, Respondent shall submit to random drug testing during the probationary period, to be administered by a provider approved by the Board, and shall receive no drug test that is positive for illegal substances or that is in excess of therapeutic levels generally acceptable in the medical community. Any expense required for the drug testing shall be paid by Respondent. If Respondent fails to satisfy this condition, Respondent's teaching certificate shall be automatically suspended for a period of one (1) year and subject to additional sanctions by the Board pursuant to KRS 161.120.

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2. Respondent shall not receive any disciplinary action involving violations of Redbook procedures, or any other behavior constituting conduct unbecoming a teacher from any school district in which he is employed. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process, including any appeal therefrom. If the tribunal amends the disciplinary action or if Respondent agrees to amend the disciplinary action through arbitration, the new disciplinary action if a suspension, termination, or public reprimand shall be considered a violation of this condition. If Respondent fails to satisfy this condition, Respondent's teaching certificate shall be automatically suspended for a period of thirty (30) days and subject to additional sanctions by the Board pursuant to KRS 161.120.

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*

CF13645 (John Newman)

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 conditions:

1. Respondent shall provide written proof to the Board that he has complied with a comprehensive evaluation from a licensed or certified psychiatrist or mental health professional and is fit to return to the classroom, presents as capable of performing his duties as an educator, is not a danger to himself or others, and is compliant with all treatment recommendations. Any expense incurred for the evaluation or follow-up treatment shall be paid by Respondent.

Respondent has provided written proof that he is fit to return to the classroom.

2. Respondent shall provide written proof to the Board from his current treatment provider or Alcoholics Anonymous sponsor that he is maintaining sobriety and is still seeking support and continued assistance in maintaining his sobriety.

3. Respondent shall provide written proof to the Board that he has completed a course, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified

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School Personnel. Any expense required for said training shall be paid by Respondent.

Furthermore, with any application for renewal of his Kentucky teaching certificate:

1. Respondent shall provide written proof to the Board that he has been evaluated by a licensed or certified psychiatrist or mental health professional and remains fit to fulfill his duties as an educator, is not a danger to himself or others, and is compliant with all treatment recommendations. Any expense incurred for the evaluation or follow-up treatment shall be paid by Respondent.

2. Respondent shall provide written proof to the Board from his current treatment provider or Alcoholics Anonymous sponsor that he is maintaining sobriety and is still seeking support and continued assistance in maintaining his sobriety.

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

**Vote:** *Unanimous*

**KTIP APPEAL**

**Case Name**

**Decision**

Geron v. EPSB

Accept Agreed Order overturning the Appeals Committee’s decision and nullifying Geron’s internship.

**Vote:** *Unanimous*

*Motion made by Mr. Kennedy, seconded by Mr. Ross, to adjourn the meeting.*

**Vote:** *Unanimous*

Meeting adjourned at 3:15 p.m.

**Next Meeting:**

**December 8, 2014  
9:00 AM  
EPSB Board Room  
Frankfort, Kentucky**

**EDUCATION PROFESSIONAL STANDARDS BOARD  
STAFF NOTE**

**Consent Item B**

**Action Item:**

University of Pikeville: Master of Arts in 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 Arts in Education: Teacher Leader program for the University of Pikeville?

**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 Professional Education Unit at the University of Pikeville 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 aim of the Teacher Leader Master's program at the University of Pikeville is to equip teachers with the vital leadership skills to positively transform their classrooms, schools, and districts as well as the profession. The program developers have worked closely with its P-12 and university partners, including arts and science faculty, to design a program in response to the needs expressed by teachers and administrators in the service area. The program requires 31 graduate credit hours for completion. There are seven professional education core courses (19 hours) designed to provide the candidate with the vital knowledge, skills, and dispositions required to obtain the Teacher Leader endorsement. The remaining 12 hours include four emphasis courses in literacy and instruction. Each course in the program incorporates job-embedded professional experience requiring candidates to have a classroom, school, and district. The program supports the teacher in developing research-based solutions that meet individualized professional growth needs within the context of the candidate's classroom. Personalized

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performance-based projects and activities will be implemented under the supervision of a teacher-partner. Qualified P-12 partners with specific areas of expertise will assist in the instruction of some graduate courses. The program will utilize mixed delivery methods including both face-to-face and online formats to accommodate working professionals employed as classroom teachers. The program proposal is available on the EPSB secured website.

### **Groups/Persons Consulted:**

Master's Review Committee

### **Alternative Actions:**

1. Approve the request for the Master of Arts in Education: Teacher Leader program for the University of Pikeville.
2. Modify and approve the request for the Master of Arts in Education: Teacher Leader program for the University of Pikeville.
3. Do not approve the request for the Master of Arts in Education: Teacher Leader program for the University of Pikeville.

### **Committee Recommendation:**

Alternative 1

### **Rationale:**

The Master's Review Committee recommends approval for the Master of Arts in Education: Teacher Leader program for the University of Pikeville.

### **Contact Person:**

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

### **Date:**

December 8, 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:**

Georgetown College: Moderate and Severe Disabilities Grades P-12 Initial (MAEd.)

**Applicable Statutes and Regulation:**

KRS 161.028; KRS 161.048  
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 EPSB approve the following educator preparation program addition?

**GEORGETOWN COLLEGE**

**7.0 EXCEPTIONAL CHILDREN**

Moderate and Severe Disabilities Grades P-12 Initial (MAEd.)

**Background:**

The Master of Arts in Education with MSD P-12 Initial certification program is designed to prepare candidates to become effective MSD educators by providing them with the knowledge and strategies to teach children and young adults with moderate and severe disabilities, as well as to plan for their transition into adult life. The courses are designed for a person who is earning a teaching certificate for the first time and are designed to meet the needs of candidates who have no prior knowledge or skills in the field of special education. The program aligns with the Council for Exceptional Children standards, the Kentucky Teacher Standards, and the Georgetown College Conceptual Framework Standards.

Applicants for this program must have a bachelor's degree with a cumulative 2.75 GPA or 3.0 on the last 30 hours (including undergraduate and/or graduate coursework) which must be documented by an official transcript from a regionally accredited institution. Applicants must also have passing scores on either the CASE or GRE, demonstrate appropriate dispositions, and the four required components of critical thinking, communication, creativity, and collaboration. Once admitted, candidates are required to raise their GPA to 3.0 and maintain at that level in order to complete the program.

The proposed program includes 42 hours of online coursework made up of seven foundational courses, three methods courses, two community and family courses, and six credit hours of final clinical practice (student teaching). Candidates accumulate 200 field hours prior to the final clinical experience and have a variety of experiences with diverse students. Candidates are required to observe and work with students at elementary, middle, and high school for a minimum of 10 hours at each level. The 200 pre-clinical hours are tied to the instructional

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practices addressed throughout the program's courses and a wide range of experiences are built into the courses. Candidates keep a log of the field experiences identifying the hours, activities, and locations. Assignments are directly linked to the fieldwork components of each course. All course requirements are evaluated by the course instructor. The collaborating teacher in the field signs the log of hours to document the field experiences. More specific information is included in the program review documents which are posted on the secure website.

### **Groups/Persons Consulted:**

Content Area Program Reviewers  
Reading Committee

### **Alternative Actions:**

1. Approve the proposed Moderate and Severe Disabilities Grades P-12 preparation program addition.
2. Do not approve the proposed Moderate and Severe Disabilities Grades P-12 preparation program addition.

### **Committee Recommendation:**

Alternative 1

### **Rationale:**

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

### **Contact Person:**

Dr. Kim Walters-Parker, Director  
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### **Date:**

December 8, 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:**

Georgetown College: Moderate and Severe Disabilities Grades P-12 Option 6 (MAEd.)

**Applicable Statutes and Regulation:**

KRS 161.028; KRS 161.048  
16 KAR 5:010; 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 EPSB approve the following educator preparation program additions?

**GEORGETOWN COLLEGE**

**7.0 EXCEPTIONAL CHILDREN**

Moderate and Severe Disabilities Grades P-12 Option 6 (MAEd.)

**Background:**

The Master of Arts in Education with MSD P-12 Option 6 program is designed to prepare candidates to become effective MSD educators by providing them with the knowledge and strategies to teach children and young adults with moderate and severe disabilities, as well as to plan for their transition into adult life. The programs align with the Council for Exceptional Children standards, the Kentucky Teacher Standards, and the Georgetown College Conceptual Framework Standards.

Applicants for this program must have a bachelor's degree with a cumulative 2.75 GPA or 3.0 on the last 30 hours which must be documented by an official transcript from a regionally accredited institution. Applicants must also have passing scores on either the CASE or GRE, demonstrate appropriate dispositions, and the four required components of critical thinking, communication, creativity, and collaboration. Once admitted, candidates are required to raise their GPA to 3.0 and maintain at that level in order to complete the program.

The proposed program includes 42 hours of online coursework made up of seven foundational courses, three methods courses, two community and family courses, and six credit hours of final clinical practice. Candidates participate in the same field courses and log the same hours as do non-Option 6 candidates. Candidates complete the majority of the field hours in their own classrooms and complete additional experiences outside their classrooms to ensure they have a variety of experiences with diverse students in elementary, middle, and high school settings. Candidates are required to complete the 200 field hours prior to the final practicum. Candidates work collaboratively with a mentor teacher as well as a college observer. Each of the Option 6 candidates is provided 15 hours of observation by the mentors; one who is a certified

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MSD teacher and one who is college faculty. Time and activities with the mentor teacher are logged. The MSD Alternative certification program has a large observation component attached to selected courses. Candidates work with mentor teachers, as well as college faculty, to analyze core content and figure out ways to differentiate teaching strategies so that each student in the MSD classroom has access to the core content curriculum. During ECE 602, 608, and 612, candidates are observed by a mentor teacher and the college observer. During these observations, and documented by the observation paperwork, candidates demonstrate the teaching of literacy skills to the group of MSD students. Each of the alt-cert candidates are provided 15 hours of mentoring (in ECE 602, ECE 612, ECE 608), from a certified MSD teacher (Mentor Qualifications: Hold a valid MSD Professional teaching certificate (cannot be doing KTIP or on a Temporary Provisional); Have completed successful MSD teaching for a minimum of two years (preferably four); Be nominated by Principal and Director of Special Education; Be willing to serve in a mentor role) as well as from a college observer and course instructor during the first TC-TP and the first renewal, in accordance to EPSB regulations. Time with the mentor teacher is logged on the mentor log and the activities that the candidate and mentor work on are reflected upon. Mentoring activities may include: Work with knowledgeable colleague to provide or assist with daily instructional methodology, strategies, paperwork, or assessment; consultation; model and demonstrate skills; frequent weekly contact to ‘check in’ and make suggestions; assist in locating resources; assist with coursework assignments, paperwork, projects; assist in problem solving; assist in collaboration with other educators, support staff and parents; and other activities that are deemed necessary by the instructor, candidate, principal, or mentor teacher. During the ECE 602, ECE 608, and ECE 612 candidates are provided a school-based mentor, and candidates are regularly observed by a college observer. Candidates are prepared to KTIP during the last renewal of the TC-TP. If the candidate is not able to start the KTIP experience, the program still provides the required mentoring to the candidate. More specific information is included in the program review documents which are posted on the secure website.

### **Groups/Persons Consulted:**

Content Area Program Reviewers  
Reading Committee

### **Alternative Actions:**

1. Approve the proposed Moderate and Severe Disabilities Grades P-12 Option 6 preparation program addition.
2. Do not approve the proposed Moderate and Severe Disabilities Grades P-12 Option 6 preparation program addition.

### **Committee Recommendation:**

Alternative 1

### **Rationale:**

The proposed educator preparation program follows the appropriate regulations (16 KAR 5:010 and 16 KAR 9:080) outlining requirements for program approval as established by the EPSB.

**Contact Person:**

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**Date:**

December 8, 2014





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

RELATES TO: KRS 156.111, 160.345(2)(h), 160.380(5)(c), 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 1. Definitions. (1) "Alternative certification administrator program" means a college or university post baccalaureate or post masters administrator preparation program for an individual enrolled concurrently with employment in a local school district as an assistant principal, principal, assistant superintendent, guidance counselor, director of special education, director of pupil personnel, supervisor of instruction, or superintendent.

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

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

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

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

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.

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

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

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

(a)1. Until December 31, 2014, issued in accordance with a grade level and specialization as recommended by the educator preparation institution on Form TC-TP; or

2. Beginning January 1, 2015, issued in accordance with a grade level and specialization as recommended by the educator preparation institution on Form CA-TP; and

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

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

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

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

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

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

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

Section 6. Requirements for Renewal of the Temporary Provisional Certificate for Teaching. (1) A candidate shall be eligible for the first renewal of the temporary provisional certificate upon successful completion of the following requirements:

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

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

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

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

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

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

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

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

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

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

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

(2) When the candidate is prepared to enroll in the Kentucky Teacher Internship Program, the recommending institution shall complete and sign page five (5) of the TC-TP or page four (4) of the CA-TP form and deliver it to the employing school district for submission to the Education Professional Standards Board.

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

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

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

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

Section 8. University Requirements for an Alternative Certification Administrator Program. (1) An accredited college or university seeking to offer an alternative certification administrator 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 administrator program approval shall design the alternative certification administrator program to provide a candidate with the coursework and mentoring appropriate to permit a candidate to maintain employment in an eligible position and successfully complete any applicable assessments, including any internship or training programs, within a period of two (2) years for those enrolled in an alternative certification administrator program.

(3) Upon approval, the alternative certification administrator 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 administrator 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. A minimum of fifteen (15) hours of annual observation utilizing university faculty and a district-based mentor of the candidate practicing in the appropriate administrative role, 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. 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 to assist the candidate in meeting the candidate's administrative 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 mentors;

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(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 administrator program permanently ceases.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 12. Alternative Certification Administrator Program Completion Requirements. (1)(a) If the alternative certification administrator candidate for principal certification has successfully passed the required assessments, as outlined in 16 KAR 6:030, and completed the required coursework, the institution shall provide written notice to the district that the candidate is eligible to participate in the Kentucky Principal Internship Program in accordance with 16 KAR 7:020.

(b) When a principal candidate is ready to enroll in the Kentucky Principal Internship Program, the recommending institution shall complete page five (5) of the TC-TP form or Form CA-TP and deliver the form to the employing school district for submission to the Education Professional Standards Board.

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

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

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

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

(4) Upon completion of the alternative certification administrator program, the assessments, and the internship or Superintendents Training Program as applicable, the university shall provide a recommendation for the professional certificate on the candidate's TC-1 or CA-1 form, which are incorporated by reference in 16 KAR 2:010.

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

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

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

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

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

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

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (33 Ky.R. 3567; 34 Ky.R. 10; eff. 7-19-2007; 40 Ky.R. 623; 1012; eff. 12-6-2013; 41 Ky.R. 295; 736; eff. 10-31-2014.)



**EDUCATION PROFESSIONAL STANDARDS BOARD  
STAFF NOTE**

**Information/Discussion Item A**

**Information Item:**

16 KAR 1:030. Procedures for certificate revocation, suspension, reinstatement and reissuance, and application denial. Amendment, Notice of Intent

**Applicable Statutes and Regulation:**

KRS Chapter 13A; KRS Chapter 13B; KRS 161.028; KRS 161.120; KRS 161.175; 16 KAR 1:020; 16 KAR 1:030

**Applicable Goal:**

Goal III: 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:**

At the April 28, 2014, Board meeting a motion passed to establish regulations for the disciplinary process and procedures pertaining to the statutes related to discipline by the EPSB. In order to facilitate a discussion regarding changes to the regulation promulgated to enforce disciplinary procedures, staff has proposed an amendment to 16 KAR 1:030 that incorporates parts of the current disciplinary system. When the regulation was last amended in 2007, redundant language that was added to KRS 161.120 was removed, but language from the EPSB's disciplinary policy was not added. This proposed amendment specifically incorporates the process currently in practice and promulgates the board's disciplinary decisions into regulations.

**Contact Person:**

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**Date:**

December 8, 2014

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1 **16 KAR 1:030. Procedures for certificate revocation, suspension, reinstatement and**  
2 **reissuance, and application denial.**

3 RELATES TO: KRS 161.028(1), 161.120, 218A.010(5)

4 STATUTORY AUTHORITY: KRS 161.028(1), 161.175(2)

5 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1) authorizes the Education  
6 Professional Standards Board to establish standards and requirements for obtaining and  
7 maintaining a teaching certificate. KRS 161.175(2) authorizes the Education Professional  
8 Standards Board to promulgate administrative regulations requiring a teacher whose certificate  
9 has been suspended or revoked by the Education Professional Standards Board because the  
10 teacher engaged in misconduct involving the illegal use of controlled substances to submit to  
11 drug testing. This administrative regulation identifies the conditions for initiating a disciplinary  
12 action against a teaching or administrative certificate and establishes procedures for certificate  
13 reinstatement, reissuance, and application denial.

14 Section 1. Initiating Disciplinary Action Against a Certificate. (1) The Education  
15 Professional Standards Board may initiate disciplinary action against a Kentucky teaching or  
16 administrative certificate upon receipt from any source of a report or complaint which contains  
17 allegations that an individual who holds a Kentucky teaching or administrative certificate has  
18 engaged in conduct listed in KRS 161.120(1).

19 (2) Upon initiating a disciplinary action against a Kentucky teaching or administrative  
20 certificate, the Education Professional Standards Board shall send a copy of the report or  
21 complaint to the certificate holder.

22 (3) The certificate holder shall have thirty (30) days from receipt of the report or  
23 complaint to submit a written rebuttal to the allegations.

Agenda Book

1 (4) At the conclusion of the thirty (30) day rebuttal period or upon receipt of the rebuttal,  
2 whichever occurs first, the complaint or report shall be prepared for initial review by the  
3 Education Professional Standards Board at its next regularly scheduled meeting.

4 (5) At the initial review of the disciplinary action, the Education Professional Standards  
5 Board shall review a summary of the complaint or report and a copy of the rebuttal. The  
6 summary and the rebuttal shall be redacted to remove proper names of persons and places to  
7 ensure the certificate holder's confidentiality during the initial review.

8 (6) At the conclusion of the initial review, the Education Professional Standards Board  
9 may take the following actions:

10 (a) Defer consideration of the disciplinary case until a future meeting for further  
11 information;

12 (b) Dismiss the disciplinary case;

13 (c) Defer consideration of disciplinary case until a future meeting to give the certificate  
14 holder an opportunity to complete remedial training or counseling in exchange for a dismissal of  
15 the disciplinary case;

16 (d) Admonish the certificate-holder in accordance with KRS 161.120(4); or

17 (e) Order an investigation into the allegations found in the complaint or report.

18 (7) If other allegations of misconduct arise during the investigation into the allegations  
19 found in the complaint or report, they may be investigated without further action by the  
20 Education Professional Standards Board.

21 (8) At the conclusion of the investigation:



1           (a) If there is no credible evidence that the allegations of misconduct occurred, the  
2 disciplinary case shall be presented to the Education Professional Standards Board at its next  
3 regularly scheduled meeting to be dismissed; or

4           (b) If there is credible evidence that an individual who holds a Kentucky teaching or  
5 administrative certificate has engaged in conduct listed in KRS 161.120(1), the disciplinary case  
6 shall be prepared for a hearing in accordance with KRS 161.120 (5)(a).

7           Section 2. Reinstatement and Reissuance of Certificate. (1)(a) A certificate that has been  
8 suspended by the Education Professional Standards Board shall not be reinstated until the  
9 certificate holder has met all conditions and requirements ordered by the Education Professional  
10 Standards Board.

11           (b) If a certificate lapses during a period of suspension, at the end of the suspension  
12 period and upon completion of all conditions and requirements ordered by the Education  
13 Professional Standards Board, the certificate holder shall apply for renewal of the certificate and  
14 shall meet all educational requirements for renewal of the certificate.

15           (2) An individual whose certificate has been revoked shall complete the Form CA-1,  
16 ["Application for Kentucky Certification or Change in Salary Rank", Form TC-1,] incorporated  
17 by reference in 16 KAR 2:010, and pay all applicable fees in accordance with 16 KAR 4:040  
18 prior to the reissuance of the certificate.

19           (3) The burden of proving suitability for reissuance of a revoked certificate shall rest on  
20 the applicant seeking reinstatement.

21           (4) If reissuing a certificate, the Education Professional Standards Board may include  
22 terms and conditions that the board reasonably deems appropriate as a condition of reissuance in  
23 accordance with KRS 161.120(11)(b).

Agenda Book

1 (5) An applicant for reissuance of a revoked certificate shall satisfy all current  
2 educational requirements for the certificate.

3 (6)(a) If a certificate is suspended or revoked because the certificate holder engaged in  
4 misconduct involving the illegal use of a controlled substance as defined in KRS 218A.010(5), in  
5 addition to conditions for reinstatement or reissuance, the certificate holder shall at the certificate  
6 holder's own expense provide written evidence that the certificate holder has submitted to a drug  
7 test administered by a drug testing facility approved by the Education Professional Standards  
8 Board within thirty (30) days of reinstatement or submission of an application for reissuance of  
9 the certificate.

10 (b) If the results of the drug test indicate drug use by the certificate holder, the certificate  
11 shall not be reinstated or reissued.

12 (c) The certificate holder shall arrange for the drug testing facility to send the results of  
13 the drug test directly to the Education Professional Standards Board.

14 (d) A drug test conducted under this subsection shall at a minimum test for the following  
15 controlled substances:

- 16 1. Marijuana;
- 17 2. Cocaine;
- 18 3. Opiates;
- 19 4. Amphetamines;
- 20 5. Phencyclidene;
- 21 6. Morphine;
- 22 7. MDMA (Ecstasy);
- 23 8. Methadone;

- 1 9. Benzodiazepines;
- 2 10. Barbiturates; and
- 3 11. Oxycodone.

4 (e)1. A certificate holder subject to the terms of this subsection may petition the  
5 Education Professional Standards Board to approve a drug testing facility of the certificate  
6 holder's choice.

7 2. The petition shall contain the following information:

- 8 a. The drug testing facility's name and location;
- 9 b. The name and telephone number for the director of the facility;
- 10 c. The method of test specimen collection;
- 11 d. The drug testing facility's method of assuring identity of the test subject;
- 12 e. Procedures for testing specimens, including forensic testing methods; and
- 13 f. Chain of custody protocols.

14 Section 3. Denial of Application for a Certificate. If the Education Professional Standards  
15 Board denies an individual's application for a Kentucky teaching or administrative certificate  
16 pursuant to this administrative regulation, the individual may file an appeal in accordance with  
17 KRS 161.120(5)(a)2.

18



**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:**

At the April 28, 2014, Board meeting a motion passed to establish regulations for the disciplinary process and procedures pertaining to the statutes related to discipline by the EPSB. In order to facilitate a discussion regarding changes to the disciplinary system, staff has provided an amendment to the Determining Probable Cause to Take Disciplinary Action Procedure that incorporates a part of the process not clearly stated in the current edition, the standard for opening a case. Staff has been using this standard to initiate disciplinary matters, but this proposed amendment will specifically delineate the standard of proof.

To provide historical information, staff has also provided two previously proposed draft amendments to the current policy that were considered by the Board. The proposed amendments were either pulled from consideration prior to final action by the Board or passed for consideration by the Board at first reading. These are provided for Board members to review in order to facilitate discussions regarding any other changes to the policy members might want to propose.

**Contact Person:**

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**Date:**

December 8, 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 contains credible evidence which 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.

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.

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**

**DETERMINING PROBABLE CAUSE TO TAKE DISCIPLINARY ACTION  
PROCEDURE**

**Amended January 7, 2013**

**(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 initiating a disciplinary case, a notice that a complaint is pending for the Board’s review shall appear on the Board’s website with access limited to school district administrators. ~~Upon opening a disciplinary case,~~ The legal division staff shall send ~~[sends]~~ the educator (“respondent”) a copy of the complaint received by certified mail and advise the respondent ~~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.

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.

If an agreed order or final order issued by the Board suspends or revokes a respondent's certificate, the respondent shall surrender his or current certificate to the Division of Legal Services. Upon reinstatement or reissuance of the certificate, the period of suspension and revocation shall be noted on the certificate. Suspension and revocation periods shall also be noted on the Board's website.

**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.

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.

**DRAFT**

**EDUCATION PROFESSIONAL STANDARDS BOARD  
STAFF NOTE**

**Information/Discussion Item C**

**Information Item:**

New Policy: Policy and Procedure Development and Regulatory Promulgation Procedure, Notice of Intent

**Applicable Statutes and Regulation:**

KRS 161.028, KRS Chapter 13A

**Applicable Goal:**

All Goals

**Issue:**

Should the EPSB approve the proposed Policy and Procedure Development and Regulatory Promulgation Procedure to be added to the EPSB's Policy and Procedure Manual?

**Background:**

Attached is an initial draft of a policy/procedure requested by the Board to guide the Board's development of future policies, procedures, and regulations. The attached draft procedure establishes the development of ad hoc committees and task forces when requested by the Board to study a specific issue, mandates specific guidelines for committee and task force membership, and requires that all new policy and regulations as well as amendments have at least two readings prior to approval.

This is an initial draft of the policy that the Board has been discussing in its work sessions and at its retreat. This draft incorporates the current procedure used by the Board and staff, so the Board may want to discuss further changes and request more information be included in the procedure.

**Contact Person:**

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**Date:**

December 8, 2014

Agenda Book

**Education Professional Standards Board  
POLICY AND PROCEDURE DEVELOPMENT AND REGULATORY  
PROMULGATION PROCEDURE**

In order to fulfill its statutory duties pursuant to KRS 161.028(1), Board members, members of the public, and staff may present issues to the Education Professional Standards Board (Board) for review. Additionally, the Board may be directed to study specific issues or promulgate regulations by act of the General Assembly. Upon identification of issues within its statutory authority, the Board may choose to delegate the review and investigation of the issues presented to a standing committee if the subject matter of the issue is germane to the standing committee's original jurisdiction or to create an ad hoc committee or task force to study and investigate the issue.

The Board shall adopt a guiding character for any ad hoc committee or task force which clearly defines the purpose of the committee or task force, establishes the timeline for the committee to complete its review and investigation, and describes the membership of the committee or task force. The membership of the committee or task force shall consist of individuals with expertise in the area to be studied from P-12 schools, educator preparation programs, and stakeholder groups. Additionally, the Board shall strive to ensure that the membership of all committees is geographically and ethnically diverse. Stakeholder groups include, but are not limited to, Kentucky Education Association, Kentucky Association of School Administrators, Kentucky Association of School Superintendents, Kentucky Association of School Boards, Pritchard Committee, Kentucky Parent Teacher Association, Kentucky Chamber of Commerce, Kentucky Department of Education, Council on Postsecondary Education, and educator specialty associations.

An ad hoc committee or taskforce shall report any findings and recommendations to the Board. The Board may adopt or modify and adopt the recommendations. Upon adoption of the recommendations, staff shall develop an implementation schedule for the recommendations for the Board's approval. If applicable, procedures or regulations shall be drafted for review and adoption by the Board.

Policy and procedures shall be developed to guide the Board and direct the staff on issues regarding internal management and the establishment of procedures or processes. An initial policy/procedure or an amendment to a policy/procedure shall be presented to the Board as an information item, initially. The Board may continue to review the item on its information agenda, if necessary, to finalize the policy/procedure or to take testimony from stakeholders. The Board shall not approve any policy/procedure or an amendment to a policy/procedure until it has had two readings before the Board and has been published as an action item to give notice and an opportunity for review by stakeholders.

## Agenda Book

Regulations shall be developed in accordance with KRS Chapter 13A. A new regulation or a regulatory amendment shall be presented to the Board as an information item, initially. The Board may continue to review the item on its information agenda, if necessary, to finalize the regulation or to take testimony from stakeholders. The Board shall not approve any regulation or an amendment to a regulation until it has had two readings before the Board and has been published as an action item to give notice and an opportunity for review by stakeholders. Upon approval by the Board, the regulation or regulation amendment shall be filed in accordance with KRS Chapter 13A. During the promulgation process, the Director of Legal Services is designated to assist the Regulations Complier with any technical amendments to ensure the regulation or regulation amendment complies with the requirements of KRS Chapter 13A.



**EDUCATION PROFESSIONAL STANDARDS BOARD  
STAFF NOTE**

**Action Item A**

**Action Item:**

2015 Legislative Agenda

**Applicable Statute:**

KRS 161.028

**Applicable Goals:**

All Goals

**Issue:**

Should the Education Professional Standards Board approve the 2015 Legislative Agenda?

**Background:**

The General Assembly will meet for its regularly scheduled 30-day session beginning on January 6, 2015. Prior to the commencement of a legislative session, with the aid of staff the Board customarily prepares a legislative agenda designed to promote the Board's mission. Staff utilizes the final legislative agenda to prepare proposed bills for statutory amendments and to advance the Board's goals when working with legislators.

This 30-day session will not include budget discussions; therefore, the proposed legislative agenda is not lengthy and does not contain any requests for funding. The proposed legislative agenda includes opposing any change to the EPSB's current statutory authority and supporting any legislation which further supports the EPSB's mission and goals so that the current emphasis of the EPSB to improve teacher quality and effectiveness may continue.

**Alternative Actions:**

1. Approve the 2015 Legislative Agenda.
2. Modify and approve the 2015 Legislative Agenda.
3. Do not approve the 2015 Legislative Agenda.

**Staff Recommendation:**

Alternative 1

**Rationale**

This agenda was created after soliciting input from the staff and accurately reflects the current legislative needs of the agency.

Agenda Book

**Contact Person:**

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**Date:**

December 8, 2014

**2015 EPSB Legislative Agenda**

- Support legislation which furthers the EPSB Mission and Goals.
- Oppose any attempt to dilute or modify the current authority of the EPSB.

**DRAFT**



**EDUCATION PROFESSIONAL STANDARDS BOARD**

**STAFF NOTE**

**Action Item B**

**Information Item:**

16 KAR 6:010. Written Examination Prerequisites for Teacher Certification, Notice of Intent

**Applicable Statute and Regulation:**

KRS 161.030

16 KAR 6:010

**Applicable Goal:**

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

**Background:**

**Newly Developed Tests and Corresponding Passing Scores**

During 2013 and 2014, Kentucky teachers and higher education faculty have participated in multi-state standard setting studies (SSS) conducted by the Education Testing Services (ETS) for multiple assessments. These changes will become effective September 1, 2015.

The bulleted points highlight some changes:

- The new *Elementary Education: Reading and Language Arts (5002)* has been regenerated from (5032) which will be discontinued.
- The new *Elementary Education: Mathematics (5003)* has been regenerated from the (5033) which will be discontinued.
- The new *Elementary Education: Social Studies (5004)* has had its code changed in order to be aligned with the Elementary Education Multiple Subjects.
- The new *Elementary Education: Science (5005)* has had its code changed in order to be aligned with the Elementary Education Multiple Subjects.
- The new *Health and Physical Education: Content Knowledge (5857)* has been regenerated from (5658) which has been discontinued.
- The new *Family and Consumer Sciences (5122)* has been regenerated from the (5121) which has been discontinued.
- The new *School Psychologist (5402)* has been regenerated from the (0401) which has been discontinued.
- The new *Middle School Science (5440)* has been regenerated from the (0439) which has been discontinued.
- The new *Gifted Education (5358)* has been regenerated from the (0357) which has been discontinued.
- The new *Agriculture (5701)* has been regenerated from the (0700) which has been discontinued.

## Agenda Book

- The new *Speech Language Pathology (5331)* has been regenerated from the *(5330)* which has been discontinued.

Current	Proposed for 2015-2016	Proposed Cut Score
<b>Elementary Education: Reading and Language Arts (5032)</b>	Elementary Education: Reading and Language Arts (5002)	157
<b>Elementary Education: Mathematics (5033)</b>	Elementary Education: Mathematics (5003)	157
<b>Elementary Education: Social Studies (5034)</b>	Elementary Education: Social Studies (5004)	155
<b>Elementary Education: Science (5035)</b>	Elementary Education: Science (5005)	159
<b>Health and Physical Education: Content Knowledge (5658)</b>	Health and Physical Education: Content Knowledge (5857)	160
<b>Family and Consumer Sciences (5121)</b>	Family and Consumer Sciences (5122)	153
<b>School Psychologist (0401)</b>	School Psychologist (5402)	147
<b>Middle School Science (0439)</b>	Middle School Science (5440)	150
<b>Gifted Education (0357)</b>	Gifted Education (5358)	157
<b>Agriculture (0700)</b>	Agriculture (5701)	147
<b>Speech Language Pathology (5330)</b>	Speech Language Pathology (5331)	162

**Contact Person:**

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**Date:** December 8, 2014

1 EDUCATION PROFESSIONAL STANDARDS BOARD

2 (Amendment)

3 16 KAR 6:010. Examination prerequisites for teacher certification.

4 RELATES TO: KRS 161.020, 161.028(1), 161.030(3), (4)

5 STATUTORY AUTHORITY: KRS 161.028(1)(a), 161.030(3), (4)

6 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1)(a) authorizes the Education  
7 Professional Standards Board to establish standards and requirements for obtaining and  
8 maintaining a teaching certificate. KRS 161.030(3) and (4) requires the Education Professional  
9 Standards Board to select the appropriate assessments required prior to teacher certification. This  
10 administrative regulation establishes the examination prerequisites for teacher certification.

11 Section 1. A teacher applicant for certification shall successfully complete the applicable  
12 tests identified in this administrative regulation prior to Kentucky teacher certification.

13 Section 2. The Education Professional Standards Board shall require the test or tests and  
14 passing scores identified in this section for each new teacher applicant and each teacher seeking  
15 an additional certificate. (1) An applicant for Interdisciplinary Early Childhood Education  
16 certification (birth to primary) shall take one (1) of the following tests and achieve the  
17 corresponding passing score or higher:

18 (a) "Interdisciplinary Early Childhood Education (0023)" - 166; or

19 (b) "Interdisciplinary Early Childhood Education (5023)" - 166.

20 (2) An applicant for Elementary certification (grades P-5) shall take "Elementary  
21 Education: Multi-Subjects Test (5031)" with the following passing scores on the corresponding  
22 test sections:

23 (a) Until August 31, 2015:

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1 1. "Reading and Language Arts (5032)" - 165;

2 2. ~~[(b)]~~ "Mathematics (5033)" - 164;

3 3. ~~[(e)]~~ "Social Studies (5034)" - 155; and

4 4. ~~[(d)]~~ "Science (5035)" – 159; and

5 (b) Beginning September 1, 2015:

6 1. "Elementary Education: Reading and Language Arts (5002)" - 157;

7 2. "Elementary Education: Mathematics (5003)" - 157;

8 3. "Elementary Education: Social Studies (5004)" - 155; and

9 4. "Elementary Education: Science (5005)" - 159.

10 (3) An applicant for certification at the middle school level (grades 5 through 9) shall  
11 take the content test or tests based on the applicant's content area or areas with the corresponding  
12 passing scores as identified in this subsection:

13 (a) Middle School English and Communications:

14 ~~[1. Until August 31, 2014:~~

15 ~~a. "Middle School English Language Arts (0049)" - 158; or~~

16 ~~b. "Middle School English Language Arts (5049)" - 158; or~~

17 ~~2. Beginning September 1, 2014,]~~ "Middle School English Language Arts (5047)" - 164;

18 (b) Middle School Mathematics:

19 ~~[1. Until August 31, 2014, "Middle School Mathematics (0069)" - 148; or~~

20 ~~2. Beginning September 1, 2014,]~~ "Middle School Mathematics (5169)" - 165;

21 (c) Middle School Science:

22 1. Until August 31, 2015, "Middle School Science (0439)" - 144; or

23 2. Beginning September 1, 2015, "Middle School Science (5440) - 150; or



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1 (d) Middle School Social Studies:

2 1. "Middle School Social Studies (0089)" - 149; or

3 2. "Middle School Social Studies (5089)": - 149.

4 (4) An applicant for certification at the secondary level (grades 8 through 12) shall take  
5 the content test or tests corresponding to the applicant's content area or areas with the passing  
6 scores identified in this subsection:

7 (a) Biology:

8 1. "Biology: Content Knowledge (0235)" - 146; or

9 2. "Biology: Content Knowledge (5235)" - 146;

10 (b) Chemistry:

11 1. "Chemistry: Content Knowledge (0245)" - 147; or

12 2. "Chemistry: Content Knowledge (5245)" - 147;

13 (c) Earth Science:

14 1. "Earth and Space Sciences: Content Knowledge (0571)" - 147; or

15 2. "Earth and Space Sciences: Content Knowledge (5571)" - 147;

16 (d) English:

17 ~~[1. Until August 31, 2014:~~

18 ~~— a. "English Language, Literature and Composition: Content and Analysis (0044)" — 166;~~

19 ~~or~~

20 ~~— b. "English Language, Literature and Composition: Content and Analysis (5044)" — 166;~~

21 ~~or~~

22 ~~— 2. Beginning September 1, 2014,] "English Language Arts: Content and Analysis (5039)"~~

23 ~~- 168;~~

## Agenda Book

1 (e) Mathematics:

2 ~~{1. Until August 31, 2014:~~

3 ~~— a.(i) "Mathematics: Content Knowledge (0061)" - 125; or~~

4 ~~— (ii) "Mathematics: Content Knowledge (5061)" - 125; and~~

5 ~~— b. "Mathematics: Proofs, Models and Problems, Part 1 (0063)" - 141; or~~

6 ~~— 2. Beginning September 1, 2014,]~~ "Mathematics: Content Knowledge (5161)" - 160;

7 (f) 1. Physics: "Physics: Content Knowledge (0265)" - 133; or

8 2. "Physics: Content Knowledge (5265)" - 133; or

9 (g) Social Studies:

10 1. "Social Studies: Content and Interpretation (0086)" - 153; or

11 2. "Social Studies: Content and Interpretation (5086)" - 153.

12 (5) An applicant for certification in all grades shall take the content test or tests  
13 corresponding to the applicant's area or areas of specialization identified in this subsection, and,  
14 if a passing score is established in this subsection, the applicant shall achieve the passing score or  
15 higher:

16 (a) Art:

17 1. "Art: Content and Analysis (0135)" - 161; or

18 2. "Art: Content and Analysis (5135)" - 161;

19 (b) Chinese: "Chinese (Mandarin): World Language (5665)" - 164;

20 (c) French: "French: World Language (5174)" - 162;

21 (d) German: "German: World Language (5183)" - 163;

22 (e) Health: "Health Education (5551) - 155; ~~{(0550)" - 630;}~~

23 (f) Health and Physical Education:

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1 1. a. Until August 31, 2015:

2 i. "Health and Physical Education: Content Knowledge (0856)" - 156; or

3 ii. "Health and Physical Education: Content Knowledge (5856) – 156; or

4 b. Beginning September 1, 2015, "Health and Physical Education: Content Knowledge  
5 (5857) – 160; and

6 2. a. "Physical Education: Content and Design (0095)" – 169; or

7 b.. "Physical Education: Content and Design (5095)" – 169; ~~Movement Forms –~~  
8 Analysis and Design (0092)" – 151;]

9 (g) Integrated Music:

10 1. "Music: Content and Analysis (0114)" - 162; or

11 2. "Music: Content and Instruction (5114)" - 162;

12 (h) Instrumental Music:

13 1."Music: Content and Analysis (0114)" - 162; or

14 2.. "Music: Content and Analysis (5114)" – 162;

15 (i) Vocal Music:

16 1. "Music: Content and Analysis (0114)" – 162; or

17 2. "Music: Content and Analysis (5114)" – 162;

18 (j) Latin:

19 1. "Latin (0601)" - 166; or

20 2. "Latin (5601)" – 166;

21 (k) Physical Education:

22 1. "Physical Education: Content and Design (0095)" - 169; or

23 2. "Physical Education: Content and Design (5095)" - 169;

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1 (l) School Media Librarian:

2 1. "Library Media Specialist (0311)" - 156; or

3 2. "Library Media Specialist (5311)" - 156;

4 (m) School Psychologist:

5 1. Until September 1, 2015, "School Psychologist (0401)" - 161; or

6 2. Beginning August 1, 2015, "School Psychologist (5402)" - 147; or

7 (n) Spanish: "Spanish: World Language (5195)" - 168.

8 (6) Except as provided in subsection (7) of this section, an applicant for certification for  
9 teacher of exceptional children in Communication Disorders, Learning and Behavior Disorders,  
10 Hearing Impaired, Hearing Impaired with Sign Proficiency, Visually Impaired, or Moderate and  
11 Severe Disabilities shall take the content test or tests based on the applicant's area or areas of  
12 specialization with the corresponding passing scores as identified in this subsection:

13 (a) Communication Disorders:

14 1.a. "Special Education: Core Content Knowledge and Applications (0354)" - 151; or

15 b. "Special Education: Core Content Knowledge and Applications (5354)" - 151; and

16 2.a. "Speech-Language Pathology (0330)" - 600; or

17 b. i. Until August 1, 2015, "Speech-Language Pathology (5330)" - 600; or

18 ii. Beginning September 1, 2015, "Speech-Language Pathology (5331)" - 162;

19 (b) Hearing Impaired:

20 1.a. "Special Education: Core Knowledge and Applications (0354)" - 151; or

21 b. "Special Education: Core Knowledge and Applications (5354)" - 151; and

22 2. a. "Special Education: Education of Deaf and Hard of Hearing Students (0272)" - 160;

23 or

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1 b. "Special Education: Education of Deaf and Hard of Hearing Students (5272)" – 160;

2 (c) Hearing Impaired With Sign Proficiency:

3 1. a. "Special Education: Core Knowledge and Applications (0354)" - 151; or

4 b. "Special Education: Core Knowledge and Applications (5354)" – 151;

5 2. a. "Special Education: Education of Deaf and Hard of Hearing Students (0272)" - 160;

6 or

7 b. "Special Education: Education of Deaf and Hard of Hearing Students (5272)" -160;

8 and

9 3. One (1) of the following tests with a passing score of Intermediate Level:

10 a. "Sign Communication Proficiency Interview (SCPI)"; or

11 b. "Educational Sign Skills Evaluation (ESSE)";

12 (d) Learning and Behavior Disorders:

13 1. "Special Education: Core Knowledge and Mild to Moderate Applications (0543)" -

14 158; or

15 2. "Special Education: Core Knowledge and Mild to Moderate Applications (5543)" -

16 158;

17 (e) Moderate and Severe Disabilities:

18 1. "Special Education: Core Knowledge and Severe to Profound Applications (0545)" -

19 158; or

20 2. "Special Education: Core Knowledge and Severe to Profound Applications (5545)" -

21 158; or

22 (f) Visually Impaired:

23 1.a. "Special Education: Core Knowledge and Applications (0354)" - 151; or

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1 b. "Special Education: Core Knowledge and Applications (5354)" - 151; and

2 2. a. "Special Education: Teaching Students with Visual Impairments (0282)" – 163; or

3 b. "Special Education: Teaching Students with Visual Impairments (5282)" – 163.

4 (7) A holder of an exceptional child certificate in Learning and Behavior Disorders or  
5 Moderate and Severe Disabilities who is seeking additional certification for any exceptional  
6 children teaching certificate listed in subsection (6) of this section shall not be required to take:

7 (a) ~~["Education of Exceptional Students: Core Content Knowledge (0353);"~~

8 ~~(b)]~~ "Special Education: Core Knowledge and Applications (0354);" or

9 (b) ~~(c)]~~ "Special Education: Core Knowledge and Applications (5354)".

10 (8)(a) Except as provided in paragraph (b) of this subsection, an applicant for Career and  
11 Technical Education certification to teach in grades 5 - 12 shall take the content test or tests  
12 corresponding to the applicant's area or areas of specialization identified in this paragraph, and, if  
13 a passing score is established in this paragraph, the applicant shall achieve the passing score or  
14 higher:

15 1. Agriculture:

16 a. Until August 31, 2015, "Agriculture (0700)" - 520; or

17 b. Beginning September 1, 2015, "Agriculture (5701) – 147;

18 2. Business and Marketing Education:

19 a. "Business Education (0101)" - 154; or

20 b. "Business Education (5101)" - 154;

21 3. Family and Consumer Science:

22 a. Until August 1, 2015:

23 i. "Family and Consumer Sciences (0121)" - 162; or

1 ii. [b.] "Family and Consumer Sciences (5121)" - 162; or

2 b.. Beginning September 1, 2015, "Family and Consumer Sciences (5122)" – 153; or

3 4. Engineering and Technology Education:

4 a. "Technology Education (0051)" – 159; or

5 b. "Technology Education (5051)" -159.

6 (b) An applicant for Industrial Education shall take the content test or tests corresponding  
7 to the applicant's area or areas of specialization with the passing scores identified in 16 KAR  
8 6:020.

9 (9) An applicant for a restricted base certificate in the following area or areas shall take  
10 the content test or tests based on the applicant's area or areas of specialization with the  
11 corresponding passing scores as identified in this subsection:

12 (a) English as a Second Language:

13 1. "English to Speakers of Other Languages (0361)" - 157; or

14 2. "English to Speakers of Other Languages (5361)" - 157;

15 (b) Speech/Media Communications:

16 1. "Speech Communication (0221)" - 146; or

17 2. "Speech Communication (5221)" – 146; or

18 (c) Theater:

19 1. "Theatre (0641)" – 162;

20 2. "Theatre (5641)" - 162.

21 (10) An applicant for an endorsement in the following content area or areas shall take the  
22 content test or tests based on the applicant's area or areas of specialization with the passing  
23 scores identified in this subsection:

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1 (a) American Sign Language: "American Sign Language Proficiency Interview (ASLPI)"  
2 administered by the Gallaudet University - 3+;

3 (b) English as a Second Language:

4 1. "English to Speakers of Other Languages (0361)" - 157; or

5 2. "English to Speakers of Other Languages (5361)" - 157;

6 (c) Learning and Behavior Disorders, grades 8 - 12:

7 1. "Special Education: Core Knowledge and Mild to Moderate Applications (0543)" -

8 158; or

9 2. "Special Education: Core Knowledge and Mild to Moderate Applications (5543)" -

10 158;

11 (d) Literacy Specialist:

12 1. "Reading Specialist (0301)" - 164; or

13 2. "Reading Specialist (5301)" - 164;

14 (e) Gifted Education, grades primary - 12:

15 1. Until August 31, 2015, "Gifted Education (0357)" - 152; or

16 2. Beginning September 1, 2015, "Gifted Education (5358) - 157; or

17 (f) Reading Primary through Grade 12:

18 1. "Teaching Reading (0204)" - 153; or

19 2. "Teaching Reading (5204)" - 153.

20 Section 3. In addition to the content area test or tests established in Section 2 of this  
21 administrative regulation, each new teacher shall take the pedagogy test and meet the passing  
22 score identified in this section that corresponds to the grade level of certification sought. If a



1 certified teacher is seeking additional certification in any area, the applicant shall not be required  
2 to take an additional pedagogy test.

3 (1) An applicant for Elementary certification (grades primary – 5) shall take one (1) of  
4 the following tests and achieve the corresponding passing score or higher:

- 5 (a) "Principles of Learning and Teaching: Grades kindergarten - 6 (0622)" - 160; or
- 6 (b) "Principles of Learning and Teaching: Grades kindergarten - 6 (5622)" - 160.

7 (2) An applicant for certification at the middle school level (grades 5 through 9) shall  
8 take one (1) of the following tests and achieve the corresponding passing score or higher:

- 9 (a) "Principles of Learning and Teaching: Grades 5 - 9 (0623)" - 160; or
- 10 (b) "Principles of Learning and Teaching: Grades 5 - 9 (5623)" - 160.

11 (3) An applicant for certification at the secondary level (grades 8 through 12) shall take  
12 one (1) of the following tests and achieve the corresponding passing score or higher:

- 13 (a) "Principles of Learning and Teaching: Grades 7 - 12 (0624)" - 160; or
- 14 (b) "Principles of Learning and Teaching: Grades 7 - 12 (5624)" - 160.

15 (4) An applicant for certification in all grades with a content area identified in Section  
16 2(5) of this administrative regulation shall take one (1) of the following tests and achieve the  
17 corresponding passing score or higher:

- 18 (a) "Principles of Learning and Teaching: Grades kindergarten - 6 (0622)" - 160;
- 19 (b) "Principles of Learning and Teaching: Grades kindergarten - 6 (5622)" - 160;
- 20 (c) "Principles of Learning and Teaching: Grades 5 - 9 (0623)" - 160;
- 21 (d) "Principles of Learning and Teaching: Grades 5 - 9 (5623)" - 160;
- 22 (e) "Principles of Learning and Teaching: Grades 7 - 12 (0624)" - 160; or
- 23 (f) "Principles of Learning and Teaching: Grades 7 - 12 (5624)" - 160.

1 (5) An applicant applying only for certification for teacher of exceptional children shall  
2 not be required to take a separate pedagogy test established in this section. The content area test  
3 or tests established in Section 2 of this administrative regulation shall fulfill the pedagogy test  
4 requirement for a teacher of exceptional children.

5 (6) An applicant for Career and Technical Education certification in grades 5 through 12  
6 shall take one (1) of the following tests and receive the identified passing score:

7 (a) "Principles of Learning and Teaching: Grades kindergarten - 6 (0622)" - 160;

8 (b) "Principles of Learning and Teaching: Grades kindergarten - 6 (5622)" - 160;

9 (c) "Principles of Learning and Teaching: Grades 5 - 9 (0623)" - 160;

10 (d) "Principles of Learning and Teaching: Grades 5 - 9 (5623)" - 160;

11 (e) "Principles of Learning and Teaching: Grades 7 - 12 (0624)" - 160; or

12 (f) "Principles of Learning and Teaching: Grades 7 - 12 (5624)" - 160.

13 Section 4. Assessment Recency. (1) A passing score on a test established at the time of  
14 administration shall be valid for the purpose of applying for certification for five (5) years from  
15 the test administration date.

16 (2) A teacher who fails to complete application for certification to the Education  
17 Professional Standards Board within the applicable recency period of the test and with the  
18 passing score established at the time of administration shall retake the applicable test or tests and  
19 achieve the passing score or scores required for certification at the time of application.

20 (3) The test administration date shall be established by the Educational Testing Service or  
21 other authorized test administrator.

22 Section 5. (1) An applicant for initial certification shall take the assessments on a date  
23 established by:

1 (a) The Educational Testing Service; or

2 (b) The agency established by the Education Professional Standards Board as the  
3 authorized test administrator.

4 (2) An applicant shall authorize test results to be forwarded by the Educational Testing  
5 Service, or other authorized test administrator, to the Kentucky Education Professional Standards  
6 Board and to the teacher preparation institution where the applicant received the relevant  
7 training.

8 (3)(a) Public announcement of testing dates and locations shall be issued sufficiently in  
9 advance of testing dates to permit advance registration.

10 (b) An applicant shall seek information regarding the dates and location of the tests and  
11 make application for the appropriate examination prior to the deadline established and  
12 sufficiently in advance of anticipated employment to permit test results to be received by the  
13 Education Professional Standards Board and processed in the normal certification cycle.

14 Section 6. An applicant shall pay the examination fee established by the Educational  
15 Testing Service or other authorized test administrator for each relevant test required to be taken.

16 Section 7. An applicant who fails to achieve at least the minimum score on any of the  
17 applicable examinations may retake the test or tests during one (1) of the scheduled test  
18 administrations.

19 Section 8. The Education Professional Standards Board shall collect data and conduct  
20 analyses of the scores and institutional reports provided by the Educational Testing Service or  
21 other authorized test administrator to determine the impact of these tests.

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**PUBLIC HEARING AND PUBLIC COMMENT PERIOD:** A public hearing on this administrative regulation shall be held on January 30, 2015 at 9:00 a.m. at the offices of the Education Professional Standards Board, 100 Airport Road, 3<sup>rd</sup> Floor, Conference Room A, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until close of business on February 2, 2014. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact person: Alicia A. Sneed, Director of Legal Services  
Education Professional Standards Board  
100 Airport Road, Third Floor  
Frankfort, KY 40601  
(502) 564-4606  
FAX: (502) 564-7080

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**REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT**

Regulation #: 16 KAR 6:010

Contact Person: Alicia A. Sneed, Director of Legal Services

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the written examination prerequisites and the corresponding passing scores for teacher certification.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to provide notice to teacher candidates of the assessment requirements for obtaining and maintaining a teaching certificate.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 161.020 requires a certificate of legal qualifications for any public school position for which a certificate is issued. KRS 161.028 requires the Education Professional Standards Board to establish standards and requirements for obtaining and maintaining a teaching certificate. KRS 161.030 places the responsibility of selecting the assessments and determining the minimum acceptable level of achievement on each assessment on the Education Professional Standards Board.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation lists the required teacher certification assessments and their corresponding minimum acceptable scores.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment replaces several discontinued tests with their regenerated counterparts. The newly regenerated tests include “Elementary Education: Reading and Language Arts (5002)”, “Elementary Education: Mathematics (5003),” “Elementary Education: Social Studies (5004),” “Elementary Education: Science (5005),” “Health and Physical Education: Content Knowledge (5857),” “Family and Consumer Sciences (5112),” “School Psychologist (5402),” “Middle

## Agenda Book

School Science (5440);” “Gifted Education (5358),” “Agriculture (5701),” and “Speech Language Pathology (5331).” Applicants for certification will need to take these tests instead of the discontinued tests after September 1, 2015. Any other changes are to clarify the regulation in accordance with KRS Chapter 13A.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to ensure that the required assessments and corresponding scores are adequately set to produce the most competent educators.

(c) How the amendment conforms to the content of the authorizing statutes: The authorizing statutes, KRS 161.020, 161.028, and 161.030, govern the certification of professional school personnel and grant the Education Professional Standards Board certification authority and the responsibility for establishing the requirements for obtaining and maintaining a certificate. This amendment establishes the required assessments and corresponding passing scores for Kentucky teacher certification.

(d) How the amendment will assist in the effective administration of the statutes: This amendment more closely aligns assessment options with teacher preparation program requirements and opportunities within an actual school setting.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: 173 Kentucky school districts, 30 educator preparation programs, and educators seeking new and additional teacher certification.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: The school districts will not be required to take any additional action. The educator preparation programs will need to continue to direct students to the Education Professional Standards Board website for current



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assessment requirements. Applicants will need to continue to refer to the Education Professional Standards board website for current assessment requirements.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There should not be any additional cost to the entities impacted by the regulation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): The educator preparation programs and applicants will be positively affected by the clarifications to the regulation. The districts will be positively affected by a supply of teachers who are competent in their content area.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: None

(b) On a continuing basis: None

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: State General Fund

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increase in fees or funding will be necessary to implement this administrative regulation.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: This administrative regulation does not establish any fees, or directly or indirectly increase fees.

(9) TIERING: Is tiering applied? (Explain why or why not) NO, tiering does not apply since all candidates for each certificate will be held to the same standard.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 16 KAR 6:010

Contact Person: Alicia A. Sneed

Phone number: 502-564-4606

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Education Professional Standards Board, 173 school districts, 8 public universities with educator preparation programs.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 161.028, KRS 161.030

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. There should be no effect on expenditures or revenues.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? This is not a revenue generating regulation.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? This is not a revenue generating regulation.

(c) How much will it cost to administer this program for the first year? There may be a minimal cost to the Education Professional Standards Board to update its website and ensure that applicants have notice to take the newly adopted tests.

(d) How much will it cost to administer this program for subsequent years? No additional costs.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): None

Expenditures (+/-): None

Other Explanation: This regulatory amendment establishes the qualifying tests for certification applicants. It does not have any fiscal impact.

**EDUCATION PROFESSIONAL STANDARDS BOARD  
STAFF NOTE**

**Action Item, Waiver**

**Action Item:**

Request to waive language in 16 KAR 8:030 pertaining to the Continuing Education Option (CEO) program

**Applicable Statutes and Regulation:**

KRS 161.095  
16 KAR 8:030

**Applicable Goal:**

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

**Issue:**

Should the Education Professional Standards Board waive language in 16 KAR 8:030 pertaining to CEO requirements?

**Background:**

Pursuant to 16 KAR 8:030, the CEO time line shall not be less than eighteen (18) months or be more than four (4) years. CEO candidate Brandy Dermitt began the CEO process in May, 2010. Her timeline for completion ended in May, 2014. Due to health reasons, she reported that she was unable to complete the CEO program within the required four years. She is requesting a waiver for extended time (May, 2015). The letter from Ms. Dermitt is provided under separate cover.

**Alternative Actions:**

1. Accept the waiver that allows an extension of time for CEO work.
2. Do not accept the waiver.

**Staff Recommendation:**

Alternative Action 1

**Rationale:**

Approval allows the teacher to have timeline extended to May, 2015, in order to complete the work of the CEO program.

**Contact Person:**

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

**Date:**

December 8, 2014



# Agenda Book

## **16 KAR 8:030. Continuing Education Option for certificate renewal and rank change.**

RELATES TO: KRS 161.020, 161.028, 161.030, 161.1211

STATUTORY AUTHORITY: KRS 161.020, 161.028(1)(a), (f), (g), (q), 161.030, 161.095, 161.1211

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.095 requires the Education Professional Standards Board to promulgate an administrative regulation establishing procedures for a teacher to maintain a certificate by successfully completing meaningful continuing education. KRS 161.028(1)(f) and 161.030 authorize the board to issue and renew certification for professional school personnel, and KRS 161.028(1)(q) authorizes the board to charge reasonable certification fees. KRS 161.1211 establishes certificate ranks and requires the board to issue rank classifications. This administrative regulation establishes the procedures for the continuing education option for certificate renewal and rank change.

Section 4. (1) A candidate for the continuing education option for certificate renewal and rank change shall:

- (a) Attend a board-approved program orientation meeting; and
- (b) Successfully complete a board-approved seminar on how to build a plan for job-embedded professional development.
- (2)(a)1. A school district, group of districts, or Kentucky postsecondary institution with an accredited educator preparation program may make application to the Education Professional Standards Board for approval to sponsor a seminar on how to build a plan for job-embedded professional development.
2. The Education Professional Standards Board may sponsor a seminar on how to build a plan for job-embedded professional development in a district or group of districts in which a seminar is not otherwise offered.
- (b) The seminar on how to build a plan for job-embedded professional development shall be led by a continuing education option coach.
- (c) The seminar on how to build a plan for job-embedded professional development may be a blend of:
  1. Web-based instruction; and
  2. Face-to-face cohort meetings.
- (d) The Education Professional Standards Board may provide Web-based instruction through an on-line module at [www.KYEducators.org](http://www.KYEducators.org).
- (e) A seminar sponsor shall offer face-to-face cohort meetings at least two (2) times per month during the plan building seminar.
- (3) Following completion of phase one (1) of the continuing education option, a seminar sponsor shall continue face-to-face cohort meetings on a monthly basis.
- (4) Completion of the first phase of the Continuing Education Option shall allow the candidate to receive first renewal of the candidate's certificate beginning July 30, 2010.
- (5) Payment of seminar tuition.
  - (a)1. Tuition for the on-line module provided by the Education Professional Standards Board shall be \$150.
  2. The on-line module fee shall be paid to the Education Professional Standards Board at the time of enrollment.
  - (b)1. Tuition for the cohort meetings shall be \$1,100.
  2. The cohort meeting fee shall be paid to the board-approved seminar sponsor.
  - (c)1. Seminar tuition shall be nonrefundable.
  2. A cohort meeting fee may be transferred to another seminar sponsor upon agreement between both sponsors.
- (6)(a) Upon completion of the seminar, the Continuing Education Option candidate shall design an individual job-embedded professional development plan.
- (b) The job-embedded professional development plan shall:
  1. Focus on a professional growth need identified by the teacher with consideration given to the needs identified in the school's consolidated plan, student assessment results, and community resources;
  2. Include goals correlated to:
    - a. Each of the ten (10) Kentucky Teacher Standards established in 16 KAR 1:010;
    - b. The Kentucky Teacher Standards Advanced Level Performance in the CEO Professional Development Portfolio Rubric; and
    - c. The teacher's individual professional growth needs established in subparagraph 1. of this paragraph;
3. Include a timeline in which the candidate shall complete all phases of the continuing education option. The timeline shall not:
  - a. Be less than eighteen (18) months; or
  - b. Be more than four (4) years; and
4. Be reviewed by the continuing education option coach for the seminar cohort.
- (c) The continuing education option coach shall:
  1. Review the plans using the CEO Professional Development Plan Scoring Rubric; and
  2. Provide guidance to the candidate for submitting the plan to the Education Professional Standards Board for scoring.
- (d)1. The candidate shall submit the plan to the Education Professional Standards Board for review.
2. The candidate may resubmit the plan for an additional scoring if the continuing education scoring team has provided evidence of a deficiency in the plan.
3. The candidate shall submit a scoring fee of \$455 to the Education Professional Standards Board with the plan.
4. If a candidate submits a plan for additional scoring, the candidate shall submit a rescoring fee of fifty (50) dollars to the Education Professional Standards Board with the plan.
- (7)(a) The candidate shall participate in a job-embedded professional development experience with documented outcomes that demonstrate the accomplishment of the established goals.
- (b) A job-embedded professional development experience shall include a combination of:
  - 1.a. A minimum of six (6) university graduate credits; or
  - b. With approval from Education Professional Standards Board staff, a minimum of six (6) university graduate or undergraduate content course credits that meet the goals established in the candidate's job-embedded professional growth plan;
2. Research;
3. Field-experience;
4. Professional development activities;...



**EDUCATION PROFESSIONAL STANDARDS BOARD  
STAFF NOTE**

**Alternative Route to Certification Application**

**Action Item:**

Alternative Route to Certification Application

**Applicable Statutes and Regulation:**

KRS 161.028, 161.030, 161.048  
16 KAR 9:010

**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 approve the alternative route to certification application?

**Background:**

The following individual is requesting certification on the basis of exceptional work experience:

Steven Rahe, Theatre, All Grades

The application will be sent under separate cover.

**Alternative Actions:**

1. Approve the alternative route to certification application.
2. Modify and approve the alternative route to certification application.
3. Do not approve the alternative route to certification application.

**Contact Person:**

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

**Date:**

December 8, 2014





## Agenda Book

### **16 KAR 9:010. Professional certificate for exceptional work experience, limited to secondary education.**

RELATES TO: KRS 161.028, 161.030, 161.048

STATUTORY AUTHORITY: KRS 161.028, 161.030, 161.048

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.048 establishes the eligibility requirements for a candidate seeking to participate in an alternative teacher preparation program. This administrative regulation establishes the requirements for issuance and renewal of a professional certificate for secondary education based on exceptional work experience.

Section 1. Definitions. (1) "Exceptional work experience" means a person with recognized superiority as compared with others in rank, status, and attainment or superior knowledge and skill in comparison with the generally accepted standards in the area in which certification is sought.

(2) "Secondary education" means the area in which certification is sought in a subject taught in grades 9 - 12 in a Kentucky school.

Section 2. Verification of exceptional qualifications of an applicant for certification, in a field of endeavor taught or service practiced in a public school of Kentucky, shall include:

(1) Sufficient documentation that demonstrates to the local school district and the Education Professional Standards Board that an applicant is one who has exceptional work experience as defined in Section 1 of this administrative regulation and has talents and abilities commensurate with the new teacher standards, established in 16 KAR 1:010;

(2) Documentation of achievement that may include advanced degrees earned, distinguished employment, evidence of related study or experience, publications, professional achievement, or recognition attained for contributions to an applicant's field of endeavor; and

(3) Recommendations from professional associations, former employers, professional colleagues, or any other individual or group whose evaluations shall support exceptional work in the field.

Section 3. Certification Requirements. An eligible candidate who meets the requirements of KRS 161.048(1) and character and fitness review established in KRS 161.040 shall be issued the provisional certificate, limited to secondary education and valid for one (1) year. Upon successful completion of the Kentucky Teacher Internship Program as established in KRS 161.030(5) to (8), the professional certificate, limited to secondary education, shall be issued and shall be valid for an additional four (4) years.

Section 4. Renewal Requirements. Each five (5) year renewal of the professional certificate identified in Section 3 of this administrative regulation shall meet the renewal requirements established in 16 KAR 4:060. (25 Ky.R. 1283; Am. 1602; eff. 1-19-99; recodified from 704 KAR 20:720, 7-2-2002.)