

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 Special Meeting Agenda

EPSB Offices

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

February 19, 2016

Friday, February 19, 2016

9:00 AM EST Call to Order

Roll Call

Open Speak

Approval of Consent Item

Approval of December 14, 2015, EPSB Meeting Minutes
(Pages 1-36)

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
- D. Legislative Update
- E. Update from Combating Inappropriate Student-Teacher Relationships Task Force

Report of the Chair

Recognition of Former EPSB Members

Information/Discussion Item

- A. Mid-Year Budget Report (Mr. Jimmy Adams) (Pages 37-38)
- B. CAEP Partnership Agreement (Mr. Terry Hibpshman)
(Pages 39-40)

Action Items

- A. Determination of Agency Head as Defined by Chapter 13B, Administrative Hearings (Mr. Adams) (Pages 41-42)
- B. 16 KAR 1:030. Procedures for Certificate Revocation, Suspension, Reinstatement and Reissuance, and Application Denial, Amendment, Final Action (Mr. Michael Head)
(Pages 43-70)

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- C. Continuing Accreditation of the Educator Preparation Unit and Approval of the Initial and Advanced Level Preparation Programs, Asbury University (Ms. Allison Bell) (**Pages 71-82**)
- D. Continuing Accreditation of the Educator Preparation Unit and Approval of the Initial and Advanced Level Preparation Programs, University of the Cumberlands (Ms. Bell) (**Pages 83-86**)
- E. Continuing Accreditation of the Educator Preparation Unit and Approval of the Initial and Advanced Level Preparation Programs, Union College (Ms. Bell) (**Pages 87-90**)

Waivers

- A. 16 KAR 5:010. Request to Waive NCATE Language, University of Louisville (Ms. Bell) (**Pages 91-94**)
- B. 16 KAR 5:010. Request to Waive NCATE Language, Murray State University (Ms. Bell) (**Pages 95-98**)
- C. 16 KAR 5:040. Request to Waive Student Teacher Placement Requirements, Dr. Sam Evans on behalf of Brian Steiner, Cesia Heinlein, Jessica Greer, and Nathaniel Chapman (Mr. Adams) (**Pages 99-102**)
- D. 16 KAR 5:040. Request to Waive Student Teacher Placement Requirements, Dr. Laurence Hayes on behalf of Ms. Libby Guth (Mr. Adams) (**Pages 103-106**)

Alternative Route To Certification Application

Lori Ann Collard, Engineering and Technology, Grades 5-12
(Mr. John Fields) (**Pages 107-109**)

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:

April 11, 2016
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The actions delineated below were taken in open session of the EPSB at the December 14, 2015, meeting. This information is provided in summary form; an official record of the meeting is available in the permanent records of the Education Professional Standards Board (EPSB), 100 Airport Road, 3rd Floor, Frankfort, KY 40601

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

Consent Item

Call to Order

Chair Anthony Strong called the meeting to order at 9:00 a.m. EST.

Swearing-In of New Board Members

Board Secretary Ashley Abshire swore in the EPSB's newest members; Commissioner Stephen Pruitt, Ann Morgan, Esther Fatsy, and Sarah Thompson. The new EPSB members then briefly introduced themselves to the Board and audience.

Roll Call

The following Board members were present during the December 14, 2015, EPSB meeting: Ellen Blevins, Tolya Ellis, Esther Fatsy, Leslie Fields, Donna Hedgepath, Ann Morgan, Jay Morgan, Laura Schneider, Stephen Pruitt, Sandy Sinclair-Curry, Anthony Strong, Sarah Thompson, David Whaley, and Kimberly Young. Allen Kennedy, Mary John O'Hair, and Cassandra Webb were absent.

Open Speak

There were no requests for Open Speak.

Approval of Consent Items

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

2015-056

Motion made by Mr. Allen Kennedy, seconded by Dr. David Whaley, to approve the following items on the consent agenda:

Approval of October 11, 2015, EPSB Special Meeting Minutes

Approval of October 12, 2015, EPSB Minutes

2015-2016 Emergency Non-Certified School Personnel Program

Vote: *Unanimous*

Executive Director Jimmy Adams asked that Information Items B and C be pulled from the December 14, 2015, EPSB meeting agenda.

Report of the Executive Director

Report from the Kentucky Department of Education

Commissioner Stephen Pruitt reported that the President recently signed into law the Every Student Succeeds Act. He stated his thought that this Act allows for more flexibility and gives Kentucky an opportunity to build a system that is representative of Kentucky. Commissioner Pruitt said that he believes strongly in collaboration and that he will need the Board's support and experience to help him continue solid education progress.

Report from the Council on Postsecondary Education (CPE)

Dr. Jay Morgan reported that CPE's statewide strategic agenda was set for adoption in the spring. He also reported that CPE anticipated a new statewide diversity plan to be adopted in the spring.

Strategic Plan Update

A written report was provided in the Board's folders.

Title II Report

Executive Director Adams thanked the Educator Preparation Division and Professional Learning and Assessment Division for preparing the Title II Report which was recently submitted to the United States Department of Education.

New Teacher Survey Update

Ms. Donna Brockman gave an update on the status of the New Teacher Survey. She reported the survey is given every fall to student teachers, principals with student teachers in their schools, and cooperating teachers. The same survey is given in the spring for KTIP interns, resource teachers, and the KTIP interns' principals to complete. Ms. Brockman said that after the data is disaggregated she will report back to the Board with a full presentation on the results. She also indicated staff were pleased with the participation rate this year.

Update from Combating Inappropriate Student-Teacher Relationships Task Force

Mr. Adams informed the Board that the first meeting of this task force was held in December, and another meeting is planned for February. The task force is charged with developing suggestions for policy and procedure changes for the prevention of inappropriate relationships with students. Discussions so far have included suggestions for pre-service training for teachers and leader candidates and periodic trainings for in-service educators.

CAEP Partnership Agreement Task Force

Mr. Adams reported that the CAEP Partnership Agreement Task Force will have its initial meeting in January. Terry Hibpshman has agreed to coordinate this group.

2014-2015 SB 1 (2009) Training Compliance Update

A written report was provided in the Board folders.

National Board Certified Teacher Update

Ms. Suzanne Farmer gave an update to the Board on the National Board program. Ms. Farmer said that a press release on December 11, 2015, indicated that Kentucky is ranked 6th in the country for the number of newly certified National Board Certified Teachers (NBCTs) and ranked 9th overall in the nation for the total number of Board certified teachers. She asked the Board to help spread awareness that teachers in schools without a NBCT may apply for a \$275 reimbursement this year after submitting Component I of the work needed to achieve National Board certification.

Commissioner Pruitt suggested recruiting teachers that are selected as Presidential Awardees for the Presidential Awards for Excellence in Mathematics and Science Teaching (PAEMST). Ms. Farmer indicated work has already begun in attempting to recruit STEM teachers and early childhood education teachers.

Employee Recognition

Executive Director Adams recognized Ms. Mona Curtsinger who would be retiring in February. With over 30 years in state government she has dedicated 19 years to the EPSB.

Report of the Chair

Appointments

Combating Inappropriate Student-Teacher Relationships Task Force

Chair Anthony Strong appointed Shanna Mills to the Combating Inappropriate Student-Teacher Relationships Task Force.

Accreditation Audit Committee Chairperson

Chair Strong appointed Ellen Blevins as chairperson of the Accreditation Audit Committee.

Presentation

Bluegrass Center for Teacher Quality (BCTQ) Partnership with Union College Educational Studies Unit

Mr. Matthew Courtney, Executive Director of the BCTQ, and Dr. Jason Reeves, Dean of Education at Union College, gave a presentation on a partnership between BCTQ and Union College. Mr. Courtney shared that the partnership has strengthened the ability to help practicing teachers and pre-service teachers improve the quality of their instruction. He said that BCTQ is a privately funded not-for-profit organization that works to rethink and reshape professional development. BCTQ works to discover new and innovative ways to train teachers, to increase opportunity for quality training in rural Eastern Kentucky, and to increase the quality of training. The Master Teacher Network program was highlighted in the presentation and was described as a teacher led and teacher driven professional learning program. This program recruits teachers that show excellence in the classroom, trains these teachers to train their peers, teaches the teachers about adult learning theory, prepares them to be quality trainers and facilitators, and pays them through a BCTQ grant and fundraising dollars to provide those services to their peers in the classroom.

Information/Discussion Items

Awarded Contract

Mr. Adams informed the Board of a contract that was awarded for the Supports Effective Educator Development grant.

Board Comments

The Board had no further comments.

Motion made by Ms. Laura Schneider, seconded by Dr. Whaley, to move 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 Dr. Whaley, seconded by Ms. Sandy Sinclair-Curry, to move into open session.

Vote: *Unanimous*

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

Ellen Blevins, Tolya Ellis, Esther Fatsy, Leslie Fields, Donna Hedgepath, Ann Morgan, Laura Schneider, Sandy Sinclair-Curry, Anthony Strong, Sara Thompson, David Whaley, and Kimberly Young.

Attorneys present were Cassie Trueblood, Erik Carlsen-Landy, Chelsea Young, Shuo Han, Eric Ray, and Ryan Halloran.

Initial Case Review

<u>Case Number</u>	<u>Decision</u>	
1508613	Admonish	
1509691	Admonish	
1509685	Admonish	
1509695	Admonish	(Ms. Young recused)
1509667	Dismissed	
1506429	Admonish	
1507485	Admonish	
1508615	Admonish	
1508611	Hear	
1509705	Defer for training	(Ms. Schneider dissented)
1509687	Defer for training	
1509701	Admonish	
1508623	Admonish	
1507481	Hear	(Ms. Fatsy recused)
1508621	Hear	
1507491	Defer for training	
1508605	Hear	
1509703	Hear	

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1509707	Hear	
1508629	Hear	
1508595	Dismissed	
1506403	Dismissed	
1508631	Dismissed	
1508589	Hear	
1508617	Hear	
1508591	Defer	
1508603	Admonish	(Ms. Schneider dissented)
1508601	Admonish	
1508619	Hear	
1508609	Hear	
1508633	Dismissed	
1506379	Admonish	
1508581	Defer for training	
1509699	Hear	
1506393	Hear	
1508585	Hear	
1508607	Hear	
1508593	Hear	
1508583	Hear	
1508587	Hear	
1506391	Hear	
1506419	Hear	
1509671	Defer for training	
1507509	Admonish	
1509669	Defer for training	
1509765	Admonish	
1509673	Admonish	
1509683	Admonish	
1507523	Admonish	
1509677	Defer for training	
1306449	Dismissed	
1306405	Dismissed	

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
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151344	Approve
15993	Approve
151367	Approve
151359	Approve
151350	Approve
151312	Approve
151354	Approve
151364	Approve
151376	Approve
151323	Approve

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151385	Approve
151377	Approve
151375	Approve
151378	Approve
151405	Approve
15918	Approve
151421	Approve
151408	Approve
151442	Approve
151432	Approve
151438	Deny
151451	Approve
151340	Deny
151338	Deny
151270	Approve
151305	Approve
151352	Approve
151348	Approve
151342	Approve
151336	Approve
151371	Deny
151403	Deny
151418	Deny
151417	Approve
151104	Approve
151303	Approve
151288	Deny
151341	Deny
151360	Approve
151379	Deny
151399	Deny
151414	Deny
151419	Approve
151415	Deny
151448	Approve
151434	Approve
151423	Approve
151433	Deny
151334	Approve
151189	Deny
151353	Approve
151362	Approve
151368	Deny
151380	Approve
151416	Approve
151450	Approve
151459	Approve
151454	Approve
151453	Approve
151302	Approve
151460	Deny

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151402	Approve
151422	Approve
151244	Approve
15873	Deny
151320	Deny
151401	Deny

Agreed Orders

Case Number

Decision

1407486 (Rhonda Branch)

Accept Agreed Order admonishing Respondent for violating the Administration Code for Kentucky's Educational Assessment Program. The Board reminds Respondent that she has a duty to follow all administrative procedures related to student testing for the well-being of the students and for the integrity of the testing process. The Board will tolerate no further acts of misconduct by Respondent.

Additionally, Respondent shall complete the following conditions:

Respondent shall submit written proof to the Board that she has received six (6) hours of training on the Administration Code for Kentucky's Education Assessment Program by April 1, 2016. Any expense required for said training shall be paid by Respondent; and

Respondent shall submit written proof to the Board that she has received six (6) hours of training on the Professional Code of Ethics for Kentucky Certified School Personnel by April 1, 2016. Any expense required for said training shall be paid by Respondent.

Should Respondent fail to satisfy any of the above conditions, certificate number 199903946 shall be suspended and will remain so until the conditions are met.

Vote: *Unanimous*

1309687 (Scott Quisenberry)

Accept Agreed Order stating that Respondent voluntarily, knowingly, and intelligently surrenders his teaching certificate, number 200200253, 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.

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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*

1305359 (Demetria Choice)

Accept Agreed Order retroactively suspending Respondent's Certificate Number 200124841 from July 1, 2013 through July 15, 2013, a period of fifteen (15) days. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of her certificate to the EPSB by delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Respondent is hereby admonished for failing to follow the administrative procedures related to student testing. Strict compliance with the Administration Code for Kentucky's Educational Assessment Program ensures the well-being of the students and the integrity of the testing process are maintained. The Board will not tolerate any further violations of testing procedures by Respondent.

Respondent is currently retired. Prior to accepting a position that requires Kentucky Certification, Respondent shall provide the Board with written proof that she has successfully completed the following:

1. Three (3) hours of Administration Code training, as approved by the Board. Any expense incurred for said training shall be paid by Respondent.
2. Twelve (12) hours of professional development or training, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense incurred for said training shall be paid by Respondent.

If Respondent fails to satisfy either condition, Certificate Number 200124841, shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

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This agreement is expressly conditioned upon Respondent agreeing to testify truthfully in any hearing involving Kevin King, Charles Delaney, Megan Kem, or Carolyn Lewis 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 Certificate Number 200124841.

Vote: *Unanimous*

1406368 (Steven Page)

Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. The Board reminds Respondent that, as a teacher, he has a duty to uphold the dignity and integrity of the teaching profession. A teacher must be truthful in all their dealings and may not deceive others, as it sets a bad example for their students. Further, educators must respect and follow the instructions of the school administration. The Board will not tolerate any further incidents of misconduct by Respondent.

By February 29, 2016, Respondent shall provide written proof to the Board that he has successfully completed twelve (12) hours of training 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, Certificate Number 200004003 shall be suspended until Respondent provides the appropriate written proof to the Board.

By February 29, 2016, Respondent shall provide written proof to the Board that he has successfully completed twelve (12) hours of training on Redbook, as approved by the Board. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, Certificate Number 200004003 shall be suspended until Respondent provides the appropriate written proof to the Board.

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

Vote: *Unanimous*

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1405276 (Dixie Cortez)

Accept Agreed Order stating that Respondent voluntarily, knowingly, and intelligently surrenders her Certificate Number 200179101, 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.

Vote: *Unanimous*

140295 (Nancy Swift)

Accept Agreed Order admonishing Respondent for failing to take reasonable measures to protect the health, safety, and emotional well-being of her students. A teacher must remain calm when dealing with students and may not place their hands on students outside the limits of their restraint training. The Board will not tolerate any further instances of misconduct.

Additionally, upon acceptance of this agreement by the Board, Certificate Number 200101337 shall be on probation for a period of five (5) years and subject to the following probationary conditions:

1. By October 31, 2015, Respondent shall provide written proof to the Board that she has been assessed by a state certified mental health counselor, as approved by the Board, and is competent to fulfill her duties as an educator. After the initial assessment, Respondent shall continue to submit semiannual written progress reports, by January 1st and July 1st of each year, from her treatment provider stating that she is maintaining the counseling relationship and following all treatment recommendations until such time as the counselor releases her from treatment. Any expense incurred for the assessment or follow-up treatment shall be paid by Respondent. If Respondent fails to satisfy this condition, Certificate Number 200101337 shall be automatically suspended until Respondent provides the appropriate written proof to the Board.
2. By December 31, 2015, Respondent shall submit written proof to the Board that she has completed six (6) hours of anger management training, as approved by

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the Board. Any expense required for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, Certificate Number 200101337 shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

3. During the probationary period, Respondent shall not receive any disciplinary action 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 the tribunal and/or arbitration process. If Respondent fails to satisfy this condition, Certificate Number 200101337 shall be automatically suspended for a period of thirty (30) days and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

1506321 (Bobbie Nyekan)

Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. The Board reminds Respondent that, as a teacher, she has a duty to uphold the dignity and integrity of the teaching profession. Driving under the influence of alcohol is dangerous, and this type of behavior sets a poor example for students. The Board will not tolerate any further incidents of misconduct by Respondent.

By November 30, 2015, Respondent shall provide written proof to the Board that she has completed 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 she has successfully completed any and all treatment recommendations proposed by the counselor and is competent to fulfill his duties as a certified educator. Any expense for the assessment, treatment, and/or written reports shall be paid by Respondent. If Respondent fails to satisfy this condition, Certificate Number 201104158 shall be suspended until Respondent provides the appropriate written proof to the Board.

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

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Vote: *Unanimous (Ms. Blevins recused)*

1504167 (James Hodge)

Accept Agreed Order retroactively suspending Respondent's certificate from April 9, 2015 through October 9, 2015, a period of six (6) months. 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, KY 40601.

1. By February 1, 2016, Respondent shall provide written proof to the Board from a Kentucky licensed or certified psychiatrist or mental health professional that he has complied with a comprehensive evaluation and is fit to return to the classroom, presents as capable of performing his duties as an educator, is not a danger to himself or others, and is compliant with all treatment recommendations. If the evaluating psychiatrist or mental health professional recommends ongoing treatment, Respondent shall provide the Board with written quarterly reports, beginning three (3) months after reinstatement, that he is compliant with all treatment recommendations and is not a danger to himself or others. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition by February 1, 2016, Certificate Number 200149953 shall be automatically suspended until such condition is satisfied.
2. By December 1, 2016, Respondent shall provide written proof to the Board that he has completed the Kentucky Department of Education's trainings entitled: Promoting Positive Behavior in Schools I, II & III. Hodge shall pay any expense incurred. If Respondent fails to satisfy this condition by December 1, 2016, Certificate Number 200149953 shall be automatically suspended until such condition is satisfied.

Furthermore, Certificate Number 200149953, and any future endorsements or new areas of certification shall be subject to the following probationary condition:

1. Respondent shall not receive any disciplinary action involving inappropriate physical contact with a student

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and/or improper safe crisis management technique from any school district in which he is employed. If Respondent fails to satisfy this condition, Certificate Number 200149953 shall be automatically suspended for a period of one (1) year, and subject to additional sanctions by the Board pursuant to KRS 161.120.

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

1408593 (Steven Jones)

Accept Agreed Order suspending Respondent’s certificate. Reinstatement of Certificate Number 200223732 shall be conditioned upon the following:

1. Respondent shall provide written proof to the Board from a Kentucky licensed/certified psychiatrist or mental health professional, that he has complied with a comprehensive evaluation and is fit to return to the classroom, presents as capable of performing his duties as a teacher, is not a danger to himself or others, and is compliant with all treatment recommendations. All treatment providers shall be approved by the Board and the financial cost of any treatment and/or reports shall be paid by Respondent.
2. At the Board’s request, Respondent shall sign a release of information with the evaluating psychiatrist or mental health professional and subsequent treatment providers allowing the Board to review his evaluation and treatment records.

Upon providing proof that he has satisfied these conditions, Certificate Number 200223732 shall be reinstated.

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However, any and all certificates issued to Respondent shall be subject to the following probationary conditions:

1. If the evaluating psychiatrist or mental health professional recommends ongoing treatment, Respondent shall present the Board with written quarterly reports, beginning three (3) months after reinstatement, that he is compliant with all treatment recommendations and is not a danger to himself or others. All treatment providers shall be approved by the Board and the financial cost of any treatment and/or reports shall be paid by Respondent.
2. At the Board's request, Respondent shall sign a release of information with any treatment providers allowing the Board to review his evaluation and treatment records.
3. Respondent shall not receive any disciplinary action involving inappropriate teacher/student boundaries from any school district in which he is employed.
"Disciplinary action" is defined as any termination, suspension or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process, 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.

Should Respondent fail to satisfy any of these conditions, Certificate Number 200223732 shall be automatically suspended for one (1) year 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*

1507507 (Lonnie Burgett)

Accept Agreed Order stating that Respondent is currently retired with no plans to return to the education profession.

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1. Respondent has provided written proof to the Board that he has reimbursed the school district for food purchases made without proof of an overnight stay in the amount of \$4,918.84.
2. Respondent has provided written poof to the Board that he has reimbursed the school district for the purchase of a gift for a retiring board member in the amount of \$195.00, and for the expenditure of \$600.00 paid to Advanced.Org.
3. Respondent has provided written proof to the Board that he has reimbursed the school district for food purchases which exceeded the \$30.00 average daily reimbursement allowed pursuant to Board policies in the amount of \$5,145.06.
4. Respondent has provided written proof to the Board that he has reimbursed the school district for reimbursements improperly received by him during the 2011-2013 school years in the amounts of \$25.25, \$11.50, and \$899.42.
5. Respondent has provided written proof to the Board that he and the Mayfield Board of Education have developed a policy for the use of district credit cards.
6. Respondent has provided written proof to the Board that he and the Mayfield Board of Education have reviewed and revised the district reimbursement policies to ensure compliance with KRS 160.290.
7. Respondent has provided written proof to the Board that he has completed three hours of training from a KDE approved trainer on the subject of "Superintendent and Board Member Responsibility for Fiscal Management of the District."

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*

1504181 (Zachary Sims)

Accept Agreed Order suspending Respondent's certificate for a period of forty-five (45) days from the date upon

which the Board approves this agreement. Respondent shall neither apply for nor be issued a teaching certificate in the Commonwealth of Kentucky during the suspension period. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of her certificate to the EPSB by delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Upon the Board's acceptance of this Agree Order, Respondent's teaching certificate, number 201137365 and any future endorsements or new areas of certification, shall be hereby subject to the following probationary conditions for a period of two (2) years:

1. Respondent shall undergo a comprehensive substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, by December 15, 2015. Respondent shall also submit written proof 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 the end of the probationary 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 training on the Professional Code of Ethics for Kentucky Certified School Personnel by April 1, 2016. Any expense for said training shall be paid by Respondent.
3. In accordance with KRS 161.175, Respondent shall submit to random drug testing during the probationary period, to be administered by a provider approved by the Board, and shall receive no drug test positive for illegal substances or in excess of therapeutic levels

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generally acceptable in the medical community. Any expense required for the drug testing shall be paid by Respondent; and

4. Respondent shall not be convicted of any crime involving the use and/or possession of any controlled substance during the probationary period. Respondent shall submit a copy of his current criminal record, as prepared by the Kentucky State Police, by July 1st of each year of the probationary period. Any expense required to satisfy this condition shall be paid by Respondent.

Should Respondent fail to satisfy any of the above conditions, certificate number 201137365 shall be automatically suspended for a period of one (1) year and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

1411801 (Joseph Borders)

Accept Agreed Order suspending Respondent's certificate for a period of two (2) years from the date upon which the Board approves this agreement. Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky during the suspension period. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

In addition to any educational and/or testing requirements, reinstatement of Respondent's certificate after the two (2) year suspension period is expressly conditioned upon Respondent providing written evidence that he has complied with the following:

1. Respondent must provide written proof that he has completed twelve (12) hours of training on the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense incurred for said training shall be paid by Respondent; and
2. Respondent must provide written proof that he has completed twelve (12) hours of professional

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development/training in the areas of classroom management and proper discipline techniques; and

3. Respondent shall undergo an anger management assessment by a Kentucky licensed and/or certified mental health counselor, as approved by the Board. Respondent shall also submit written proof to the Board that he has complied with the assessment process and has successfully completed any and all treatment recommendations, if any, by the end of the suspension period. If Respondent is not able to complete all treatment recommendations by the end of the suspension period, he shall submit written progress reports from his mental health counselor on January 1st and July 1st until such time as the counselor releases Respondent from treatment. Each progress report shall certify that Borders is continuing to comply with any and all treatment recommendations, and that he remains fit and competent to fulfill her duties as an educator. Any expense for the assessment, treatment, and/or written reports shall be paid by Respondent.

If Respondent fails to satisfy these conditions, certificate number 200113110 shall not be reinstated and shall remain suspended until Respondent completes the requirements and provides the appropriate written proof to the Board.

Upon reinstatement of Certificate Number 200113110, Respondent shall be on three (3) year probation. Respondent shall receive no disciplinary action during the probationary period. "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.

By entering into this Agreed Order, Respondent agrees that should he fail to satisfy the terms of the probation, Certificate Number 200113110 shall be automatically suspended for an additional period of one (1) year.

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

Vote: *Unanimous*

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1507517 (Matthew Stanfield)

Accept Agreed Order admonishing Respondent for violation of state school law, specifically KRS 158.060. The Board reminds Respondent of his ethical duty to accord just and equitable treatment to all members of the profession in the exercise of their professional rights and responsibilities. The Board will not tolerate any further incidents of misconduct by Respondent.

1. Respondent has provided written proof to the Board that he has completed training on the “Role of the Principal in SBDM Schools” as mandated by OEA.

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*

1210612 (Johnathan Rogers)

Accept Agreed Order suspending Respondent’s certificate for a period beginning July 1, 2015 through June 30, 2016. Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky during the suspension period. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

In addition to any generally applicable educational and/or testing requirements, reinstatement of Respondent’s certificate after the suspension period is expressly conditioned upon Respondent providing written evidence that he has complied with the following:

1. Respondent is on disability retirement. Respondent shall provide written proof to the Board that he has been evaluated by a Kentucky licensed or certified physician and has been approved for duty through the Kentucky Teachers’ Retirement System. Any expense incurred for said evaluation, treatment, and/or reports shall be paid by Respondent
2. Respondent must provide written proof that he has completed twelve (12) hours of training on the Professional Code of Ethics for Kentucky Certified School Personnel with a focus on student/teacher

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boundaries, as approved by the Board. Any expense incurred for said training shall be paid by Respondent.

3. Respondent shall provide written proof to the Board that he has completed twelve (12) hours of training on sexual harassment awareness in the workplace, as approved by the Board. Any expense required for said training shall be paid by Respondent.
4. Respondent shall provide written proof to the Board that he has completed six (6) hours of sensitivity training related to LGBTQ individuals, as approved by the Board. Any expense required for said training shall be paid by Respondent.

If Respondent fails to satisfy these conditions, certificate number 200003869 shall not be reinstated and shall remain suspended until Respondent completes the requirements and provides the appropriate written proof to the Board.

Upon reinstatement of Certificate Number 200003869, Respondent shall be on one (1) year probation. Respondent shall receive no disciplinary action during the probationary period. "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.

By entering into this Agreed Order, Respondent agrees that should he fail to satisfy the terms of the probation, Certificate Number 200003869 shall be automatically suspended for an additional period of one (1) year.

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

Vote: *Unanimous*

1505280 (Dennis Wooten)

Accept Agreed Order admonishing Respondent for failing to exemplify behaviors which maintain the dignity and integrity of the profession. The Board reminds Respondent that his ethical duties extend beyond the school day. The Board will not tolerate any further incidents of misconduct by Respondent.

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By February 1, 2016, Respondent shall provide the Board with a valid prescription for the medication he was taking in April 2015, when he was admitted to the hospital for accidental overdose. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition by February 1, 2016, Certificate Number 200218936 shall be automatically suspended until such condition is satisfied.

1. By February 1, 2016, Respondent shall provide written proof to the Board that he received medical clearance to return to work in April 2015. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition by February 1, 2016, Certificate Number 200218936 shall be automatically suspended until such condition is satisfied.
2. By February 1, 2016, Respondent shall provide written proof to the Board that he has complied with a comprehensive alcohol/substance abuse assessment by a Kentucky licensed or certified chemical dependency counselor, as approved by the Board, and is compliant with all treatment recommendations. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition by February 1, 2016, Certificate Number 200218936 shall be automatically suspended until such condition is satisfied.

Upon acceptance of this agreement by the Board, Certificate Number 200218936 shall be subject to the following probationary conditions for a period of three (3) years:

1. Respondent shall receive no disciplinary action involving use of alcohol or any illegal substance by any school district in which he is employed. If Respondent fails to satisfy this condition, Certificate Number 200218936 shall be automatically suspended for a period of forty-five (45) days, and subject to additional sanctions by the Board pursuant to KRS 161.120.

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

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If the tribunal amends the disciplinary action or if Respondent agrees to amend the disciplinary action through arbitration, the new disciplinary action if a termination, suspension or public reprimand shall be considered a violation of this condition.

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*

C150245 (Melissa Edens)

Accept Agreed Order Suspending Respondent's certificate for a period of one (1) year to be served January 17, 2015 through January 17, 2016. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original certificate and all copies of her certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Respondent is admonished by the Board for failing to take reasonable measures to protect the health, safety, and emotional well-being of her students. An educator may not be intoxicated while in the classroom. Being under the influence of alcohol, while being responsible for students, places the students in danger. The Board will not tolerate any further instances of misconduct.

Upon reinstatement, after the one (1) year suspension period, certificate number 200003488 shall be subject to the following probationary conditions for a period of three (3) years:

1. By February 1, 2016, Respondent shall provide written proof to the Board that she has completed 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 she has successfully completed any and all treatment recommendations proposed by the counselor and is competent to fulfill his duties as a certified educator. Any expense for the assessment, treatment, and/or written reports shall be paid by Respondent. If Respondent fails to satisfy this condition, Certificate

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Number 200003488 shall be suspended until Respondent provides the appropriate written proof to the Board.

2. By March 1st of each year of the probationary period, Respondent shall submit documentation from her current treatment provider or Alcoholics Anonymous sponsor that she is maintaining sobriety and is still seeking support and continued assistance in maintaining her sobriety. If Respondent fails to satisfy this condition, Certificate Number 200003488 shall be automatically suspended until Respondent provides the appropriate written proof to the Board.
3. For the entirety of the probationary period, Respondent shall not receive any disciplinary action from any school district in which she is employed. "Disciplinary action" is defined as any public reprimand, suspension, or termination issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. If Respondent fails to satisfy this condition, Certificate Number 200003488 shall be automatically suspended for a period of six (6) months and subject to additional sanctions by the Board pursuant to KRS 161.120.
4. During the probationary period, Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) involving the use and/or possession of any controlled substance or alcohol. If Respondent is convicted of, or enters a guilty or no contest plea, to any criminal charge involving the use and/or possession of any controlled substance or alcohol, she shall submit this information to the Board, in writing, within thirty (30) days. Failure to comply with this condition will result in Certificate Number 200003488 being automatically suspended pending Board review and disposition.
5. Respondent shall submit a copy of her current criminal record, as prepared by the Administrative Office of the Courts by January 1st of each year of the probationary period. Any expense required to satisfy this condition shall be paid by Respondent. If Respondent fails to satisfy this condition, Certificate Number 200003488

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shall be automatically suspended until Respondent provides the appropriate written proof to the Board.

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

Vote: *Unanimous*

1507513 (Larry Sparks)

Accept Agreed Order admonishing Respondent for exercising poor professional judgment and for impeding the proper implementation of KRS 160.345. The Board reminds Respondent that as an administrator, it is his responsibility to ensure that the proper procedures are being followed in his school at all times. The Board will not tolerate any further incidents of misconduct by Respondent.

1. By February 1, 2016, Respondent shall provide written proof to the Board that he has completed the three (3) hours of training from an EPSB approved trainer on the subject of "Certification Requirements for Kentucky Schools" as mandated by OEA. If Respondent fails to satisfy this condition by February 1, 2016, Certificate Number 000028219 shall be administratively suspended until such condition is satisfied.
2. By February 1, 2016, Respondent shall provide written proof to the Board that he has completed the three (3) hours of training from a KDE approved provider on the subject of "The Role of the Principal & SBDM Council in Hiring School Personnel" as mandated by OEA. If Respondent fails to satisfy this condition by February 1, 2016, Certificate Number 000028219 shall be administratively suspended until such condition is satisfied.

Furthermore, Certificate Number 000028219, shall be subject to the following probationary condition for a period of five (5) years:

1. Respondent shall not receive any disciplinary action for violation of school law from any school district in which he is employed. If Respondent fails to satisfy this condition, Certificate Number 000028219 shall be automatically suspended for a period of thirty (30) days

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and subject to additional sanctions by the Board pursuant to KRS 161.120.

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

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*

CF151201 (Richard Haws)

Upon acceptance of this agreement by the Board, Respondent shall be issued a Kentucky teaching certificate upon providing proof that he has met the academic and testing requirements necessary for issuance of a certificate, and has completed the following:

1. Respondent shall submit written proof from a licensed/certified psychiatrist or mental health professional, as approved by the Board, that he has complied with a comprehensive evaluation, is competent to fulfill his duties as an educator, is not a danger to himself or others, and is compliant with all treatment recommendations. Respondent shall pay any expense incurred.
2. Respondent shall submit written proof to the Board that he has completed twelve (12) hours of professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Respondent shall pay any expense incurred.

Furthermore, any and all certificates issued to Respondent shall be subject to the following permanent probationary conditions:

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1. If the evaluating psychiatrist/mental health professional recommends ongoing treatment, Respondent shall provide to the Board quarterly written progress reports from his psychiatrist or mental health professional until he is released from treatment. If Respondent fails to satisfy this condition, any and all certificates issued to him shall be administratively suspended until such condition is satisfied.
2. With any application for renewal of a certificate and/or with any application for an additional certificate, Respondent shall submit a state and federal criminal background report to the Board. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition, renewal of his certificate and/or issuance of the additional certificate shall be denied.
3. If Respondent is convicted of, or enters a guilty or no contest plea, to any criminal charge(s) other than minor traffic violations, he shall submit this information to the Board, in writing, within thirty (30) days. If Respondent fails to satisfy this condition, any and all certificates issued to him shall be administratively suspended pending Board review and disposition. A violation is not considered a minor traffic violation if it is a violation for which jail time may be imposed.
4. Respondent shall have no disciplinary action for violation of the Professional Code of Ethics for Kentucky Certified School Personnel from any school district in which he is employed. If Respondent fails to satisfy this condition, any and all certificates issued to him shall be automatically suspended for a period of one (1) year and subject to additional sanctions by the Board pursuant to KRS 161.120.

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

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Respondent is aware that should he violate any provision of KRS 161.120 in the future, the Board shall initiate a disciplinary action and seek additional sanctions.

Vote: *Unanimous (Ms. McMillen and Dr. Whaley recused)*

150243 (Jennifer Mamoth)

Accept Agreed Order suspending Respondent's certificate for a period of ninety (90) days from the date upon which the Board approves this agreement. Respondent shall neither apply for nor be issued a teaching certificate in the Commonwealth of Kentucky during the suspension period. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of her certificate to the EPSB by delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Upon the Board's acceptance of this Agree Order, Respondent's teaching certificate, number 199903363, and any future endorsements or new areas of certification, shall be on probation for a period of two (2) years and subject to the following probationary conditions:

1. Respondent shall undergo a comprehensive substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, by April 1, 2016. Respondent shall also submit written proof to the Board that she has complied with the assessment process and has successfully completed any and all treatment recommendations, if any, by the end of the probationary period. If Respondent is not able to complete all treatment recommendations by the end of the probationary period, she shall submit written progress reports from her chemical dependency counselor on January 1st and July 1st until such time as the counselor releases her from treatment. Each progress report shall certify that Respondent is continuing to comply with any and all treatment recommendations, and that she remains fit and competent to fulfill 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 she has completed twelve (12) hours of training on the

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Professional Code of Ethics for Kentucky Certified School Personnel by April 1, 2016. Any expense for said training shall be paid by Respondent.

3. In accordance with KRS 161.175, Respondent shall submit to random drug testing during the probationary period, to be administered by a provider approved by the Board, and shall receive no drug test positive for illegal substances or in excess of therapeutic levels generally acceptable in the medical community. Any expense required for the drug testing shall be paid by Respondent; and
4. Respondent shall receive no disciplinary action involving use of alcohol or any illegal substance by any school district in which she is employed. If Respondent fails to satisfy this condition, Certificate Number 200218936 shall be automatically suspended for a period of forty-five (45) days, and subject to additional sanctions by the Board pursuant to KRS 161.120.

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

Should Respondent fail to satisfy any of the above conditions, certificate number 199903363 shall be automatically suspended for a period of one (1) year and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

1503114 (Heather Perdue)

Accept Agreed Order suspending Respondent’s certificate for a period of sixty (60) days from the date upon which the Board approves this agreement. Respondent shall neither apply for nor be issued a teaching certificate in the Commonwealth of Kentucky during the suspension period. Upon acceptance of this agreement by the Board,

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Respondent shall immediately surrender the original and all copies of her certificate to the EPSB by delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Upon reinstatement, Certificate Number 200204676, including any and all endorsements, is hereby subject to the following probationary conditions for a period of two (2) years:

1. On or before January 1, 2016, Respondent shall submit written proof to the Board that she has successfully completed twelve (12) hours of professional development or training, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, Certificate Number 200204676, 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.
2. On or before October 1, 2016, Respondent shall submit written proof to the Board that she has successfully completed a course on Medicaid billing as it pertains to services provided to special needs students. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, Certificate Number 200204676, 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.
3. For the entirety of the probationary period, Respondent shall receive no disciplinary action. "Disciplinary action" is defined as any public reprimand, suspension, or termination issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process. If Respondent fails to comply with the requirements of this paragraph, Certificate Number 200204676, and any future endorsements or new areas of certification, shall be automatically suspended for a period of thirty (30) days.

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Respondent is aware that should she violate KRS 161.120, either during or following this two (2) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1503427 (Alisia McClain)

Accept Agreed Order admonishing Respondent for exercising poor professional judgment. As an educator in the Commonwealth of Kentucky, Respondent has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students. Respondent should always err on the side of caution when the safety of students could be in jeopardy. The Board reminds Respondent to immediately report any safety concerns to an administrator so that appropriate precautions can be put in place, and not to assume that others have already reported the safety concerns. The Board will not tolerate any further incidents of misconduct from Respondent.

1. By December 1, 2016, Respondent shall provide written proof to the Board that she has completed twelve (12) hours of professional development or training in the areas of educator ethics and diversity, as approved by the Board. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition by December 1, 2016, Certificate Number 201162248 shall be administratively suspended until such condition is satisfied.

Additionally, Certificate Number 201162248 shall be subject to the following probationary condition until June 14, 2017, a period of eighteen (18) months:

1. Respondent shall not receive any disciplinary action for failing to report safety concerns from any school district in which she is employed. If Respondent fails to satisfy this condition, Certificate Number 201162248 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 termination, suspension, or public reprimand issued by any school district in the

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

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*

1406364 (Lynn Henry)

Accept Agreed Order stating that Respondent is currently on KTRS Disability Retirement. Prior to her return to a position that requires Kentucky certification, Respondent shall provide the following to the Board:

1. Written evidence from a Kentucky licensed and/or certified physician, approved by the Board, that she is fit to return to the classroom.
2. Written evidence from a Kentucky certified mental health counselor, approved by the Board, that she is fit to return to the classroom.

Any expense involved in meeting these requirements shall be paid by Respondent. If Respondent fails to satisfy these conditions, Certificate Number 000007004 shall be automatically suspended until all conditions are met.

Vote: *Unanimous*

0904193 (Michael McKinney)

Accept Agreed Order stating 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 McKinney, or on his behalf, shall be denied.

Vote: *Unanimous*

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1507521 (Thomas Richey)

Accept Agreed Order stating that Respondent is currently retired with no immediate plans to return. However, if Respondent returns to the Kentucky public school system in any capacity that requires certification, he shall first submit written proof to the Board that he has completed professional development or training on “The Requirements of KRS 160.380 Relating to What Constitutes a Vacancy,” as approved by the Board.

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*

1305343 (Kelly Maye)

Accept Agreed Order stating that Respondent voluntarily, knowingly, and intelligently surrenders her Certificate Number 201111681, and agrees to not apply for, not 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.

Vote: *Unanimous*

1310712 (Bradley Brammel)

Accept Agreed Order retroactively suspending Respondent’s certificate from December 24, 2013 through December 31, 2013, January 2, 2014 through January 6, 2014 and June 14, 2014 through June 30, 2014, a total of thirty (30) days. 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.

1. On or before November 1, 2016, Respondent shall provide written proof to the Board that he has completed twelve (12) hours of professional development or training on educator ethics, with an emphasis on appropriate educator/student boundaries, as approved by the Board. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition by November 1, 2016 Certificate 200119861

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shall be automatically suspended until such condition is satisfied.

2. On or before November 1, 2016, Respondent shall provide written proof to the Board that he has completed twelve (12) hours of Sexual Harassment Awareness Training, as approved by the Board. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition by November 1, 2016, Certificate 200119861 shall be automatically suspended until such condition is satisfied.

Certificate Number 200119861 and any future endorsements or new areas of certification shall be subject to the following permanent probationary conditions:

1. With any application for renewal of a certificate and/or with any application for an additional certificate, Respondent shall provide a current state and federal criminal background report to the Board. Respondent shall pay any expense incurred. If Respondent is convicted of any crime relating to improper sexual conduct and/or any crime involving a student or minor, any application for renewal of his certificate or issuance of an additional certificate shall be denied.
2. Respondent shall not receive any disciplinary action for inappropriate interactions with students or inappropriate educator/student boundaries from any school district in which he is employed. If Respondent fails to satisfy this condition, any and all certificates issued to him shall be automatically permanently revoked.

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

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Respondent is aware that should he violate any provision of KRS 161.120 in the future, the Board shall initiate a disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1405285 (Samantha Matthews)

Accept Agreement stating that by Agreed Order entered on February 9, 2015, Respondent and the Board agreed to the following probationary condition, hereinafter “probationary condition no. 1”:

Respondent shall provide written proof to the Board that she has taken ETS’s Educator Ethics Assessment within two (2) months of its national release tentatively scheduled for the fall of 2015. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

The Board’s staff has attempted to assist Respondent in obtaining the ETS Educator Ethics Assessment, but was informed by the developers of said training that it is not available for individual, remedial training.

Due to the fact that the training required in probationary condition no. 1 is not available, Respondent and the Board agree to substitute the language of probationary condition no. 1 to the following:

By March 1, 2015, Respondent shall provide written proof to the Board that she has completed twelve (12) hours of professional development or training 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, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

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Vote: *Unanimous*

Recommended Order

Case Name

Decision

1403181 (James Reed)

Accept the Hearing Officer's Findings of Fact, Conclusions of Law, Recommended Order and Notice of Appeal Rights affirming the EPSB's denial of Petitioner's application for certification.

Vote: *Unanimous (Ms. Fields recused)*

1409665 (Neil Carrington)

Accept the Hearing Officer's Findings of Fact and the Conclusions of Law, and Modify the Recommended Order and to revoke Respondent's teaching certificate through and including December 14, 2018. 2. Thereafter and only after such date, Respondent may apply for any certificate issued under KRS 161.010 to 161.100 only by complying with the requirements then applicable to the certificate for which he applies. Upon applying for any certificate, Respondent shall provide proof that he has completed six (6) hours of ethics training and that he has successfully completed a "fit to teach" evaluation. If Respondent reapplies for a teacher of exceptional children/communication disorders under KRS 161.053 or its then existing equivalent, Respondent also shall provide proof that he has completed six (6) hours of training on dealing with exceptional children.

Vote: *Unanimous*

Motion made by Ms. Sinclair-Curry, seconded by Ms. Schneider, to adjourn the meeting.

Vote: *Unanimous*

Meeting adjourned at 1:15p.m.

Next Meeting: **February 19, 2016**
 9:00 a.m. EST
 EPSB Board Room
 Frankfort, Kentucky

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item A

Information Item:

A report on the year-to-date financial performance of the agency's programs and operations through December 31, 2015

Applicable Statutes and Regulation:

KRS 161.017 (1) (c)

Applicable Goal:

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

Background:

The state fiscal year begins July 1 and ends June 30. The mid-year budget report may be found under separate cover.

Groups/Persons Consulted

None-All information was produced from information maintained in the eMARS financial system and analysis by Jimmy Adams.

Contact Person:

Mr. Jimmy Adams
Executive Director
502-564-4606
Jimmy.Adams@ky.gov

Date:

February 19, 2016

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item B

Information/Discussion Item

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

Applicable Statutes and Regulation

KRS 161.028
16 KAR 5:010

Applicable Goal

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

Issue

Should the Education Professional Standards Board approve the Council for Accreditation for Educator Preparation (CAEP) Partnership Agreement?

Background

At the June 8, 2015 meeting of the Board, the EPSB adopted the CAEP Standards and approved the CAEP Partnership Agreement Task Force Charter and membership. Under the guidance of Terry Hibpshman, the Task Force met on Thursday, January 28, 2016 and developed the proposed CAEP Partnership Agreement. This agreement outlines the conditions between CAEP and the EPSB.

Groups/Persons Consulted

CAEP Partnership Agreement Task Force, Colleges of Education Deans, CAEP Staff, EPSB Staff

Contact Person:

Mr. Terry Hibpshman
Research Consultant for EPSB
(502) 564-4606
Terry.Hibpshman@ky.gov

Date

February 19, 2016

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**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item A

Action Item

Delegation of KRS 13B.110 (3) Power to Grant or Deny a Request for an Extension of Time Made Pursuant to KRS 13B.110(2)

Applicable Statutes and Regulation

KRS 13B.010(4) “Agency head” means the individual or collegial body in an agency that is responsible for entry of a final order.

KRS 13B.030(1) An agency head may exercise all powers conferred on an agency relating to the conduct of administrative hearings, and he may delegate conferred powers to a hearing officer or a member of a collegial body that serves as an agency head, or he may delegate conferred powers to a hearing officer to conduct an administrative hearing before a hearing panel, reserving the authority to render a recommended order to that panel. An agency head may not, however, delegate the power to issue a final order unless specifically authorized by statute, or unless disqualified in accordance with KRS 13B.040(2).

KRS B. 110 (2) If an extension of time is needed by the hearing officer to complete and submit his recommended order to the agency head, the hearing officer shall show good cause to the agency head, in writing, and based upon substantial proof, that an extension of time is needed.

KRS 13B.110 (3) If the agency head, after a showing of good cause, grants the hearing officer an extension of time:

- (a) The extension shall not exceed thirty (30) days from the date the extension was granted;
- (b) The statement granting the extension shall be included in the record of the hearing; and
- (c) Notice of the extension shall be sent to all parties.

Applicable Goal

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

Issue

Should the Education Professional Standards Board delegate the KRS 13B.110 (3) power to grant or deny requests for an extension of time made pursuant to KRS 13B.110 (2), to a specific member of the Board?

Background

KRS 13B.010(4) states that the “Agency head” means the individual or collegial body in an agency that is responsible for entry of a final order. In a recent KRS 13B.110(2) request for a 30-day extension of time, a hearing officer stated that it was her belief “the Agency head of the

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KEPSB is the whole Education Professional Standards Board” and therefore presented her request to the chairperson of the EPSB.

A quick review of the EPSB disciplinary case files revealed that the requests made in accordance with KRS 13B.110(2) for an extension of time for the hearing officer to complete a recommended order, have previously been made to and been granted by the agency’s Executive Director. The requests were made by Hearing Officers Susan Durant, Michael Head and Thomas Hellman. The requests were all granted by the EPSB’s previous Executive Director Dr. Phillip Rogers.

By delegating the power to grant or deny an extension request to a specific member of the Board, the Board and the agency will be more efficient and effective in its responsibilities, without the need or cost of a special called board meeting to decide a procedural matter.

Alternative Actions

1. Delegate the KRS 13B.110(3) power to grant or deny an extension request to a specific member of the Education Professional Standards Board.
2. Do not delegate the KRS 13B.110(3) power to grant or deny an extension request to a specific member of the Education Professional Standards Board.

Staff Recommendation

Alternative Action 1

Contact Person

Mr. Jimmy Adams
Executive Director
(502) 564-4606
Jimmy.Adams@ky.gov

Date

February 19, 2016

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item B

Information Item

Notice of Intent to Amend 16 KAR 1:030

Procedures for certificate revocation, suspension, reinstatement and reissuance, and application denial

Applicable Statutes and Regulation

KRS 161.028(1), 161.120, 218A.010(5)

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 Education Professional Standards Board approve the Amendment to 16 KAR 1:030?

Background

16 KAR 1:030 is the regulation that governs procedures for certificate revocation, suspension, reinstatement and reissuance, and application denial. The board has asked that the regulation be rewritten for clarity and efficiency.

Alternative Actions

1. Approve the proposed amendment to 16 KAR 1:030 as presented.
2. Modify the proposed amendment to 16 KAR 1:030.
3. Do not approve the proposed amendment to 16 KAR 1:030.
4. Table action on the proposed amendment to 16 KAR 1:030 until general counsel is approved by the governor's office for the EPSB and has time to review the amendment.

Staff Recommendation

Alternative Action 4

Contact Person

Mr. Jimmy Adams
Executive Director
(502) 564-4606
Jimmy.Adams@ky.gov

Date

February 19, 2016

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1 EDUCATION AND WORKFORCE DEVELOPMENT CABINET

2 Education Professional Standards Board

3 (Amendment)

4 16 KAR 1:030. Procedures for certificate revocation, suspension, reinstatement and reissuance,
5 and application denial.

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

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

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1) authorizes the Education
9 Professional Standards Board to establish standards and requirements for obtaining and
10 maintaining a teaching certificate. KRS 161.120 establishes procedures for disciplinary actions
11 relating to certificates. KRS 161.175(2) authorizes the Education Professional Standards Board
12 to promulgate administrative regulations requiring a teacher whose certificate has been
13 suspended or revoked by the Education Professional Standards Board because the teacher
14 engaged in misconduct involving the illegal use of controlled substances to submit to drug
15 testing. This administrative regulation identifies the conditions for initiating a disciplinary action
16 against a certificate and establishes procedures for certificate reinstatement, reissuance, and
17 application denial.

18 Section 1. Definitions.

19 (1) “Assurance of voluntary compliance” means a resolution of an informal
20 complaint by which the certificate holder agrees to adhere in the future to a defined application
21 of KRS 161.120.

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1 (2) "Board" means the Education Professional Standards Board.

2 (3) "Case file" means the file board's staff creates when the board receives an
3 informal complaint.

4 (4) "Certificate" means the document issued under KRS 161.010 to 161.100 to
5 teachers and other professional school personnel, and any certificate or license issued under any
6 previous law to superintendents, principals, teachers, substitute teachers, interns, supervisors,
7 directors of pupil personnel, or other administrative, supervisory, or instructional employees.

8 (5) "Certificate holder" means the individual against whom an informal complaint is
9 filed.

10 (6) "Closing a case file" means what the board will vote to do if the board has not nor
11 will not issue a formal complaint against the certificate holder.

12 (7) "Final order" means any final action by the board to finally resolve the allegations
13 of an informal complaint, including a final order as defined by KRS 13B.010(6).

14 (8) "Formal complaint" means the document the board will issue when the board
15 initiates disciplinary action against a certificate under KRS 161.120.

16 (9) "Informal complaint" means a report of alleged conduct by a certificate holder for
17 which the board may take disciplinary action under KRS 161.120.

18 (10) "Notice of administrative hearing" is defined by KRS 13B.050.

19 (11) "Redacted copy" and "redacted copies" means a copy or copies of original
20 documents from which is redacted information that may identify the certificate holder who is the
21 subject of an informal complaint, information that may identify the person who filed the informal
22 complaint, and information that is believed to be irrelevant, immaterial, or excludable on
23 constitutional or statutory grounds or on the basis of evidentiary privilege recognized in the

1 courts of this Commonwealth. Information that may identify the certificate holder and
2 complainant includes social security numbers, addresses, the names of victims of certificate
3 holder's alleged conduct, the names of other school personnel, the name of the superintendent,
4 and the name of the school district.

5 ~~[Initiating Disciplinary Action Against a Certificate. The Education Professional Standards~~
6 ~~Board may initiate disciplinary action against a Kentucky teaching or administrative certificate~~
7 ~~upon receipt from any source of a report or complaint which contains allegations that an~~
8 ~~individual who holds a Kentucky teaching or administrative certificate has engaged in conduct~~
9 ~~listed in KRS 161.120(1).]~~

10 Section 2. Informal Complaints. (1) Any individual or entity may file an informal
11 complaint concerning a certificate holder.

12 (2) Informal complaints shall not be filed anonymously.

13 (3) The executive director of the board may file an informal complaint against a
14 certificate holder based on reports and information received from other sources.

15 (4) All documents in the board's possession related to the informal complaint,
16 including the official record of the administrative hearing as defined by KRS 13B.130, shall be
17 preserved in the case file.

18 (5) All informal complaints that concern the same facts and circumstances shall be
19 consolidated into a single case file.

20 (6) By filing an informal complaint, a superintendent satisfies the requirement in
21 KRS 161.120(2)(a) to file a report.

22 (7) Before filing an informal complaint concerning a certificate holder employed by
23 the superintendent's school district, the superintendent shall cause an investigation of the

1 allegations against the certificate holder to be initiated as soon as practicable after being made
2 aware of the event giving rise to the duty to report under KRS 161.120(2)(a).

3 (8) The superintendent shall file an informal complaint when the school district's
4 investigation of potential violations of KRS 161.120 is complete, or, if the school district's
5 investigation is not complete at the time a superintendent is required by KRS 161.120(2)(a) to
6 submit a report to the board, the superintendent's duty to report shall be based on the information
7 in the superintendent's possession at that time.

8 (9) The superintendent shall send to the board copies of all documents and records
9 relevant to the informal complaint received after filing the informal complaint.

10 (10) Informal complaints shall be mailed or hand-delivered to the board at 100 Airport
11 Road, 3rd Floor, Frankfort, Kentucky 40601, or, if made available by the board, may be
12 submitted electronically through the board's Web site, www.epsb.ky.gov.

13 Section 3. Certificate Holder Rebuttals to Informal Complaints. (1) If an informal
14 complaint is received by the board, board staff may obtain from public sources or from the
15 reporting superintendent additional relevant information, which may be provided to the board
16 with the informal complaint.

17 (2) Informal complaints shall not be investigated without board authorization or, in
18 the case of emergency action under KRS 161.120(6), without the board chair's authorization.

19 (3) An unredacted copy of the informal complaint or informal complaints in a case
20 file, any staff-prepared summaries of materials which accompanied the informal complaint that
21 will be submitted to the board with the informal complaint, and unredacted copies of any
22 additional information related to the informal complaint that will be submitted to the board with
23 the case file, shall be mailed by certified mail to the certificate holder's last-known home address

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1 on file with the board or, if the informal complaint was filed by a superintendent, to the
2 certificate holder's home address provided by the superintendent.

3 (4) If an informal complaint is filed by a superintendent, the mailing to the certificate
4 holder required by subsection (3) of this section shall occur after the school district's
5 investigation is complete, unless the board votes that the mailing to the certificate holder is to
6 occur sooner.

7 (5) The certificate holder may file with the board a rebuttal to the informal complaint
8 and to the additional information the certificate holder receives with the informal complaint.

9 (6) The rebuttal shall be mailed or hand-delivered to the board at 100 Airport Road,
10 3rd Floor, Frankfort, Kentucky 40601, or, if made available by the board, may be submitted
11 electronically through the board's Web site, www.epsb.ky.gov.

12 (7) The rebuttal shall be received at, or submitted electronically to, the board offices
13 by close of the business day thirty (30) days from the certificate holder's receipt of the informal
14 complaint.

15 Section 4. Action on Informal Complaints. (1) An informal complaint whose allegations
16 are not within the board's jurisdiction under KRS 161.120 may be rejected without board action.

17 (2) If an informal complaint is rejected for lack of jurisdiction, the complainant shall
18 be mailed written notification of the rejection.

19 (3) An informal complaint for which the board has jurisdiction under KRS 161.120
20 shall be submitted for action at a regular meeting of the board no later than the second regular
21 meeting after expiration of the time for the certificate holder to file a rebuttal.

22 (4) If an informal complaint is submitted for action, the board shall receive:

23 (a) A redacted copy of the informal complaint or informal complaints in the case file;

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1 **(b) Redacted copies of the certificate holder’s rebuttal, if a rebuttal has been timely**
2 **filed, and materials that accompanied it;**

3 **(c) Redacted copies of any additional information obtained by board staff that were**
4 **sent to the certificate holder;**

5 **(d) A redacted statement of the facts and law prepared by the board’s legal staff that**
6 **complies, to the extent possible, with KRS 13B.050(3) and (4); and**

7 **(e) The board legal staff’s recommended action.**

8 **(5) The board also may receive staff-prepared summaries of materials that**
9 **accompanied the informal complaint and the certificate holder’s rebuttal.**

10 **(6) If presented with an informal complaint or informal complaints, the board shall**
11 **vote to take one (1) or more of the following actions:**

12 **(a) Close the case file and take no further action on the informal complaint or**
13 **informal complaints against the certificate holder;**

14 **(b) Defer further action on the informal complaint until the board’s next regular**
15 **meeting;**

16 **(c) Authorize an investigation or additional investigation of the allegations in the**
17 **informal complaint or informal complaints;**

18 **(d) Authorize informal settlement negotiations with the certificate holder;**

19 **(e) Issue a formal complaint against the certificate holder;**

20 **(f) Issue an emergency order as provided in Section 9 of this administrative**
21 **regulation;**

22 **(g) Issue a notice of administrative hearing in compliance with KRS 13B.050;**

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1 (h) Adopt and approve a settlement agreement or a consent agreement with the
2 certificate holder;

3 (i) Accept an assurance of voluntary compliance from the certificate holder; or

4 (j) Issue a written admonishment to the certificate holder in accordance with KRS
5 161.120(4).

6 (7) If the board votes to investigate or defer taking action on an informal complaint,
7 the case file shall be brought back before the board at its next regular meeting. At that meeting,
8 the board shall vote to take one (1) of the actions set forth in subsection (6) of this section.

9 (8) The board shall send the certificate holder written notification of its action.

10 Section 5. Investigations, Investigation Reports, and Action by the Board. (1) All
11 investigations of informal complaints shall be initiated by action of the board.

12 (2) An investigation shall be limited to circumstances reasonably related to the
13 allegations in the informal complaint.

14 (3) The investigation shall be performed by a contract investigator or a board
15 employee who is not the board's legal representative concerning the allegations in the informal
16 complaint.

17 (4) The investigator shall prepare a written report of the results of the investigation,
18 which shall be filed in the case file for the informal complaint.

19 (5) At the time it is filed, the board shall mail a copy of the investigator's written
20 report to the certificate holder.

21 (a) The board's legal staff may withhold the report or redact the copy of the report
22 mailed to the certificate holder in order to protect work product and privileged, protected, or
23 confidential information.

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1 **(b) The certificate holder may petition the board in writing to produce to the**
2 **certificate holder an unredacted copy of the investigation report.**

3 **(c) If the certificate holder petitions the board to receive an unredacted copy of the**
4 **investigation report, the board shall send the certificate holder written notification of its decision.**

5 **(6) The case file shall be brought back before the board at a regular meeting no later**
6 **than the second regular meeting after the investigation report is filed. At that regular meeting,**
7 **the board shall vote to take one (1) or more of the following actions:**

8 **(a) Close the case file and take no further action on the informal complaint or**
9 **informal complaints against the certificate holder:**

10 **(b) Defer further action on the informal complaint or informal complaints until the**
11 **board's next regular meeting;**

12 **(c) Authorize additional investigation;**

13 **(d) Authorize informal settlement negotiations with the certificate holder;**

14 **(e) Issue a formal complaint against the certificate holder;**

15 **(f) Issue an emergency order as provided in Section 9 of this administrative**
16 **regulation;**

17 **(g) Issue a notice of administrative hearing in compliance with KRS 13B.050;**

18 **(h) Adopt and approve a settlement agreement or a consent agreement with the**
19 **certificate holder;**

20 **(i) Accept an assurance of voluntary compliance from the certificate holder;**

21 **(j) Issue a written admonishment to the certificate holder in accordance with KRS**
22 **161.120(4); or**

1 (k) Dismiss a formal complaint the board may have issued against the certificate
2 holder.

3 (7) If the investigator discovers evidence that may lead to additional charges under
4 KRS 161.120, the investigator shall not conduct an investigation of the new potential charges
5 unless the board both files an informal complaint with new allegations and authorizes an
6 investigation of those allegations.

7 Section 6. Formal Complaint and Notice of Administrative Hearing. (1) If the board votes
8 to take action pursuant to KRS 161.120, the board shall issue a formal complaint against a
9 certificate holder.

10 (2) The formal complaint shall comply with KRS 13B.050(3)(d) and (e).

11 (3) The formal complaint shall include the disposition of the charges, including
12 penalties, that is sought by the board.

13 (4) If the board issues a formal complaint, the board shall:

14 (a) Direct its legal staff to initiate informal settlement negotiations under Section 7 of
15 this administrative regulation; or

16 (b) Issue a notice of administrative hearing in compliance with KRS 13B.050.

17 Section 7. Informal Settlement Procedures. (1) If the board votes to initiate informal
18 settlement negotiations with the certificate holder, the board shall issue a formal complaint,
19 which subsequently may be amended by the board if the charges in the formal complaint are not
20 settled or dismissed.

21 (2) If the board votes to initiate informal settlement negotiations with the certificate
22 holder, the board also shall decide the terms of settlement that shall be offered to the certificate
23 holder.

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1 (3) A copy of the formal complaint shall be provided to the certificate holder when
2 informal settlement negotiations are initiated.

3 (4) If the board's legal staff rejects a certificate holder's proposed settlement, the
4 certificate holder may petition the board to accept alternate terms of settlement or resolution as
5 established in this subsection.

6 (a) The certificate holder shall file with the board a proposed settlement agreement or
7 consent agreement and a written request to submit the proposed agreement to the board for its
8 consideration.

9 (b) A redacted copy of the certificate holder's proposed settlement agreement or
10 consent agreement shall be presented to the board for consideration no later than the second
11 regular meeting after the board receives the written request.

12 (5) With the certificate holder's agreement, the board may vote to submit a case file
13 to a mediator agreed upon by the parties.

14 (a) The board's executive director, legal director, or legal staff may act as the board's
15 representative at the mediation.

16 (b) Settlement or consent agreements to which the certificate holder agrees during
17 mediation shall be submitted to the board for consideration no later than the second regular
18 meeting after the settlement or consent agreement is signed by the parties.

19 (6) A settlement agreement or a consent agreement shall not be effective until
20 approved by the full board.

21 Section 8. Procedures for Denying Applications for a Certificate. (1) If the board denies
22 an application for a certificate, the board promptly shall send notification of the denial to the
23 applicant.

1 (2) The notification of denial shall be sent to the applicant by certified mail, return
2 receipt requested, to the last known address of the applicant on file with the board.

3 (3) If a certificate applicant does not file a request for hearing with the board within
4 thirty (30) days of receiving the denial notification, the board shall deny any subsequent request
5 for a hearing.

6 Section 9. Emergency Orders and Emergency Hearings. (1) If there is evidence to believe
7 a certificate holder has engaged in conduct that constitutes an immediate danger to the public
8 health, safety, or welfare for which the board may take action under KRS 161.120, the board or
9 the board chair may issue an emergency order designed to stop, prevent, or avoid the immediate
10 danger.

11 (2) The content of the emergency order shall satisfy the requirements of KRS
12 13B.125(2).

13 (3) The emergency order shall be served as required by KRS 13B.125(2).

14 (4) The emergency order shall be effective as provided by KRS 13B.125(2).

15 (5) The certificate holder may request an emergency hearing as provided by KRS
16 13B.125(3).

17 (6) If the certificate holder requests an emergency hearing, the board shall issue an
18 emergency notice of administrative hearing and hold an emergency hearing in accordance with
19 KRS 13B.125.

20 (7) As soon as practicable after the board or the board's chair issues an emergency
21 order, the board shall issue a formal complaint and a notice of administrative hearing based on
22 the conduct that is the subject of the emergency order.

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1 Section 10. Administrative Hearings. (1) If a certificate holder fails to request a hearing
2 as required by KRS 161.120(5)(a)(3), the board shall deny a subsequent request for hearing.

3 (2) When a hearing is required by KRS 161.120(4) and (5), and any time the board
4 votes to initiate an administrative hearing, the board shall issue a formal complaint and a notice
5 of administrative hearing that together comply with KRS 13B.050.

6 (3) If the board issues a notice of administrative hearing, the board shall vote whether
7 a hearing shall be conducted before the full board, a panel of three (3) members of the board, or a
8 person appointed as hearing officer pursuant to KRS 13B.030(1).

9 Section 11. Final Orders. (1) A final order of the board that complies with the
10 requirements of KRS 13B.120 shall be issued to resolve all informal complaints from which the
11 board has issued a formal complaint and a notice of hearing.

12 (2) If the board revokes a certificate, the board's public electronic record of the
13 certificate holder's status shall reflect the effective date of the revocation.

14 (3) If an individual whose certificate was revoked is reissued a certificate, the
15 reissued certificate and the board's public electronic record of the certificate holder's status shall
16 reflect the prior certificate's effective date and duration of revocation.

17 (4) If the board suspends a certificate, then only during the period of suspension, the
18 board's public electronic record of the certificate holder's status shall reflect the effective date
19 and duration of the suspension.

20 (5) If the board orders that a certificate is revoked, or if the board orders that a
21 certificate is suspended prospectively, the certificate holder shall immediately deliver the printed
22 certificate in the certificate holder's possession to the board.

1 Section 12. Appeals. An appeal of any final order of the board shall be filed in the
2 Franklin Circuit Court as provided in KRS 13B.140 and KRS 23A.010.

3 Section 13. Right to Petition the Board. (1) An applicant for a certificate or a certificate
4 holder may petition the board in writing at any time to close a case file, dismiss a charge, issue a
5 notice of administrative hearing, ask a hearing officer to set an administrative action for hearing,
6 or take any other action that is permitted by law.

7 (2) Petitions filed pursuant to subsection (1) of this section shall be considered in
8 redacted form by the board no later than the second regular meeting after the board receives the
9 petition.

10
11 (3) The board may refuse to consider the certificate holder's petition or may take any
12 action permitted by law, including directing the staff to issue a formal complaint, issue a notice
13 of hearing, and set a hearing date.

14 Section 14. Service, Mailing, and Production. (1) Unless otherwise provided by law or
15 this administrative regulation, all documents that are to be served, mailed, or produced to the
16 certificate holder may be mailed by regular mail through the United States Postal Service to the
17 certificate holder's last known home address on file with the board or, if a superintendent filed
18 the informal complaint, to the home address provided by the superintendent.

19 (2) The certificate holder may waive the use of the United States Postal Service as
20 required in this section by providing the board with a written waiver and an email address that
21 the board thereafter shall use in lieu of mail through the United States Postal Service, unless
22 otherwise required by law.

1 Section 15. Reinstatement and Reissuance of Certificate. (1)(a) A certificate that has been
2 suspended by the Education Professional Standards Board shall not be reinstated until the
3 certificate holder has met all conditions and requirements ordered by the Education Professional
4 Standards Board.

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

9 (2) An individual whose certificate has been revoked shall complete the Application
10 for Kentucky Certification or Change in Salary Rank, Form CA-1, incorporated by reference in
11 16 KAR 2:010, prior to the reissuance of the certificate.

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

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

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

19 (6) (a) If a certificate is suspended or revoked because the certificate holder engaged
20 in misconduct involving the illegal use of a controlled substance as defined in KRS 218A.010(5),
21 in addition to conditions for reinstatement or reissuance, the certificate holder shall at the
22 certificate holder's own expense provide written evidence that the certificate holder has
23 submitted to a drug test administered by a drug testing facility approved by the Education

1 Professional Standards Board within thirty (30) days of reinstatement or submission of an
2 application for reissuance of the certificate.

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

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

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

9 1. Marijuana;

10 2. Cocaine;

11 3. Opiates;

12 4. Amphetamines;

13 5. Phencyclidene;

14 6. Morphine;

15 7. MDMA (Ecstasy);

16 8. Methadone;

17 9. Benzodiazepines;

18 10. Barbiturates; and

19 11. Oxycodone.

20 (b) 1. A certificate holder subject to the terms of this subsection may petition the
21 Education Professional Standards Board to approve a drug testing facility of the certificate
22 holder's choice.

23 2. The petition shall contain the following information:

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- 1 a. The drug testing facility's name and location;
- 2 b. The name and telephone number for the director of the facility;
- 3 c. The method of test specimen collection;
- 4 d. The drug testing facility's method of assuring identity of the test subject;
- 5 e. Procedures for testing specimens, including forensic testing methods; and
- 6 f. Chain of custody protocols.

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

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

14 (2) ~~— An individual whose certificate has been revoked shall complete the "Application~~
15 ~~for Kentucky Certification or Change in Salary Rank", Form TC-1, incorporated by reference in~~
16 ~~16 KAR 2:010, prior to the reissuance of the certificate.~~

17 (3) ~~— The burden of proving suitability for reissuance of a revoked certificate shall rest~~
18 ~~on the applicant seeking reinstatement.~~

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

22 (5) ~~— An applicant for reissuance of a revoked certificate shall satisfy all current~~
23 ~~educational requirements for the certificate.~~

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

8 ~~(b) — If the results of the drug test indicate drug use by the certificate holder, the~~
9 ~~certificate shall not be reinstated or reissued.~~

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

12 ~~(d) — A drug test conducted under this subsection shall at a minimum test for the~~
13 ~~following controlled substances:~~

14 1. — ~~Marijuana;~~

15 2. — ~~Cocaine;~~

16 3. — ~~Opiates;~~

17 4. — ~~Amphetamines;~~

18 5. — ~~Phencyclidene;~~

19 6. — ~~Morphine;~~

20 7. — ~~MDMA (Ecstasy);~~

21 8. — ~~Methadone;~~

22 9. — ~~Benzodiazepines;~~

23 10. — ~~Barbiturates; and~~

Agenda Book

1 11. — Oxycodone.

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

5 2. — The petition shall contain the following information:

6 a. — The drug testing facility's name and location;

7 b. — The name and telephone number for the director of the facility;

8 c. — The method of test specimen collection;

9 d. — The drug testing facility's method of assuring identity of the test subject;

10 e. — Procedures for testing specimens, including forensic testing methods; and

11 f. — Chain of custody protocols.

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

Type the name and title of person signing

(Date Signed)

DRAFT

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on {Month ##, 2015}, at {time}, at {location of the meeting}. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. 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 {Month ##, 2015}. 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: {Name, address, phone, and fax for the contact person}.

DRAFT

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation Number:

Contact Person:

(1) Provide a brief summary of:

(a) What this administrative regulation does:

(b) The necessity of this administrative regulation:

(c) How this administrative regulation conforms to the content of the authorizing statutes:

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

(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:

(b) The necessity of the amendment to this administrative regulation:

(c) How the amendment conforms to the content of the authorizing statutes:

(d) How the amendment will assist in the effective administration of the statutes:

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

(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:

(b) In complying with this administrative regulation or amendment, how much will it cost

each of the entities identified in question (3):

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

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

(a) Initially:

(b) On a continuing basis:

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

(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:

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees:

(9) TIERING: Is tiering applied? (Explain why or why not)

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number:

Contact Person:

Phone number:

(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?

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

(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.

(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?

(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?

Agenda Book

(c) How much will it cost to administer this program for the first year?

(d) How much will it cost to administer this program for subsequent years?

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

Revenues (+/-):

Expenditures (+/-):

Other

Explanation:

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE
Action Item C**

Action Item:

Asbury University: Accreditation of the Educator Preparation Unit and Approval of Programs

Applicable Statute or Regulation:

KRS 161.028

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 grant continuing NCATE/state accreditation to the Educator Preparation Unit and approve the initial and advanced level preparation programs at Asbury University?

Background:

A joint NCATE/state Board of Examiners (BOE) team conducted the on-site evaluation of the Educator Preparation Unit at Asbury University on April 26 – 28, 2015. The joint BOE team found all standards were met and recommended action on three areas for improvement (two corrected and one continued). The BOE also reviewed program review documents as part of the on-site visit and found them to be in compliance with program guidelines as established and approved by the EPSB. At its June 30, 2015, meeting the Accreditation Audit Committee (AAC) met (see minutes) and reviewed the accreditation materials including the Institutional Report, the Off-Site BOE Report, the IR Addendum, and the On-Site BOE Report.

Corrected Areas for Improvement

Standard 4: Diversity

(Advanced) Candidates have limited opportunities to work with faculty from diverse groups.

(Initial and Advanced) Candidates have limited opportunities to work with candidates from diverse groups.

Continued Area for Improvement

Standard 4: Diversity

(Initial) Candidates have limited opportunities to work with faculty from diverse groups.

New Areas for Improvement

None

The AAC reviewed each area for improvement cited in the BOE Report and NCATE Action Report. The AAC accepted the BOE recommendation on the two corrected areas for improvement. The committee did not accept the BOE recommendation on the continued area for improvement. The AAC found that the unit had provided sufficient evidence in the rejoinder and the meeting presentation to justify not accepting the continued area for improvement identified in the BOE Report. As a result, the AAC recommends two corrected areas for improvement, no continued areas for improvement, and no new areas for improvement. Pursuant to 16 KAR 5:010, Section 19, the AAC accepts the areas for improvement as identified by the BOE team and recommends: (1) ACCREDITATION and (2) APPROVAL OF THE INITIAL AND ADVANCED LEVEL EDUCATOR PREPARATION PROGRAMS at Asbury University.

Groups/Persons Consulted

Content Area Program Reviewers
Continuous Assessment Review Committee
Reading Committee
Joint NCATE/State Board of Examiners Team
Accreditation Audit Committee

Alternative Actions:

Issue One: Unit Accreditation

1. Accept the recommendation of the AAC and grant ACCREDITATION for Asbury University.
2. Modify the AAC recommendation and grant CONDITIONAL ACCREDITATION for Asbury University.
3. Do not accept the AAC recommendation and grant PROBATION for Asbury University.

Issue Two: Program Approval

1. Accept the recommendation of the AAC and grant APPROVAL for the initial and advanced level educator preparation programs at Asbury University.
2. Modify the AAC recommendation and grant APPROVAL WITH CONDITIONS for the initial and advanced level educator preparation programs at Asbury University.
3. Do not accept the AAC recommendation and stipulate DENIAL OF APPROVAL for the initial and advanced level educator preparation programs at Asbury University.

AAC Recommendation:

Issue One: Alternative 1

Issue Two: Alternative 1

Rationale:

The Joint NCATE/State BOE team and AAC followed national and state guidelines for accreditation of educator preparation programs.

Contact Person:

Ms. Allison Bell, Program Consultant II
Division of Educator Preparation
(502) 782-2142
Allison.Bell@ky.gov

Date:

February 19, 2016

Accreditation Audit Committee (AAC)

**Education Professional Standards Board
Conference Room A
December 15, 2015**

MEETING MINUTES

Members Present:

Ellen Blevins, Chair
Sam Evans
Kristi Jenkins
Lisa Lee
Dara'Su Stevens
Tiffany Wheeler

EPSB Staff Present:

Allison Bell
Lauren Graves
Rich Miller

Members Absent:

Aimee Green
Sam Evans (during review of University of the Cumberland)

As a result of new appointments for this committee, the meeting started with introductions, and EPSB staff provided an explanation of the process and decision options for the committee.

The meeting was called to order at 9:30. Lisa Lee made a motion to approve the June 2015 meeting minutes. Dara'Su Stevens seconded. Minutes from the June 2015 meeting were approved unanimously (6-0).

The members of the AAC reviewed the documentation including, but not limited to, the Institutional Report (IR), Board of Examiners (BOE) team reports, and the institutional rejoinders, and made recommendations for accreditation and program approval for the following institutions:

ASBURY UNIVERSITY

Ms. Jenkins recused from the committee as she had served as the KEA Observer for this visit. Dr. Ann Larson served as co-chair of the joint NCATE/state team and presented the report on behalf of the BOE team. Dr. Larson provided an overview of the accreditation visit by identifying the team members and providing a summary of the team's recommendations. She was complimentary of the faculty and staff of Asbury University and noted their preparedness for the visit. She reported the BOE team noted the unit had attained Target in Standard 3. She also reported that the BOE team recommended all six standards being met at both the initial and advanced levels with two corrected areas for improvement in Standard 4: Diversity and one new area for improvement in Standard 4. Dr. Larson also reported on the strengths of Asbury in developing partnerships and the commitment of the university's administration to the

work of the School of Education and to the unit's leadership.

Dr. Sherry Powers, who serves as unit head, spoke on behalf of the institution. She was appreciative of the team's professional, friendly, and thorough review of Asbury's programs throughout the accreditation review process. She reported that the unit and institution had begun work to address the identified area for improvement immediately following the departure of the team. The university administration established a full-time tenure track position to be filled by ethnically/racially diverse faculty. Asbury hired diverse faculty for the 2015-2016 academic year. Dr. Powers also reported that Asbury partners with Kentucky State University (KSU) so Asbury candidates have opportunities to work with diverse faculty and candidates from KSU. She reported that the university's administration is very supportive of faculty recruitment efforts. Previous part-time diverse faculty have become full-time this year, and she is still seeking to fill one full-time tenure position.

The AAC reviewed each of the areas for improvement identified in the BOE Report as identified below.

Corrected Areas for Improvement

Standard 4: Diversity

(Advanced) Candidates have limited opportunities to work with faculty from diverse groups.

(Initial and Advanced) Candidates have limited opportunities to work with candidates from diverse groups.

Continued Areas for Improvement

Standard 4: Diversity

(Initial) Candidates have limited opportunities to work with faculty from diverse groups.

The AAC voted 4-1 (Kristi Jenkins recused) to not agree with the BOE team on the area for improvement identified above. NCATE had not cited this as an area for improvement and the AAC found that Asbury had provided convincing evidence in the rejoinder and in the Dean's presentation to not accept the BOE's recommendation for this area for improvement.

New Areas for Improvement

This section is not applicable as no areas for improvement were identified by the BOE team.

Following appropriate meeting protocol, the AAC made the following decisions:

- 1) Voted (5-0, 1 recusal) that the BOE team followed approved accreditation guidelines when conducting the visit.
- 2) Voted (5-0, 1 recusal) to agree with the corrected area for improvement cited in the BOE Report.
- 3) Voted (5-0, 1 recusal) to agree with the BOE team that all standards are met.

In addition to decisions identified above, the AAC recommends **ACCREDITATION** (Vote: 5-0) and **PROGRAM APPROVAL** for Asbury University (Vote: 5-0).

UNION COLLEGE

Dr. Yoli Carter served as a team member of the joint NCATE/state team and presented the report on behalf of the BOE team. The co-chair of the team was unable to attend the meeting. Dr. Carter provided an overview of the accreditation visit by identifying the team members and providing a summary of the team's recommendations including the rationales for the three areas for improvement. She reported that the BOE team recommends all six standards are met at both the initial and advanced levels with three areas for improvement. Since this was a first NCATE visit, there are no corrected or continued areas for improvement. Dr. Carter also reported the BOE team determined that Union College is moving toward Target in Standard 5 at the developing or emerging level. She described the working process of the team and affirmed how diligence, consistency, and transparency were evident for the team members as well as for the unit. AAC members questioned Dr. Carter as to the report statements concerning the scholarship requirements of the faculty. Dr. Carter reported that the team did not find that the faculty activities were scholarly based upon the requirements of the 2008 NCATE Standards.

Dr. Jason Reeves, Dean of the Educational Studies Unit (the unit head), spoke on behalf of the institution. He was complimentary of the team's efforts and professionalism. He was appreciative of the team's findings on the unit's strengths as well as areas for improvement. Dr. Reeves reported the ESU's response to the team's findings and the work that was being done on the institution's development of a dedicated scholarship for a Latino candidate, the hiring of support staff for this academic year, the creation of a presentation that has been submitted for publication, and the identification of a faculty member to serve as the accreditation assistant.

Dr. Evans requested clarification on the number of full-time supervisors in the unit versus in the Teacher Leader program. Dr. Reeves indicated that the supervisors were full-time to the unit and used for both initial and advanced program candidates. Dr. Evans also questioned the status of the position in the Gifted Education program as reported by the BOE team. Dr. Reeves indicated that two persons (one full-time and one adjunct) have been hired for the program.

The AAC reviewed each of the areas for improvement and chose to accept the recommendations of the BOE team as cited in the BOE Report on the following:

Corrected Areas for Improvement

This section is not applicable as this was a first NCATE/state joint visit.

Continued Areas for Improvement

This section is not applicable as this was a first NCATE/state joint visit.

New Areas for Improvement

Standard 4: Diversity

(Initial and Advanced) Candidates in initial and advanced programs have limited opportunities to interact with ethnically or racially diverse candidates.

Standard 5: Faculty Qualifications, Performance, and Development

(Initial and Advanced) The unit lacks sufficient evidence that the professional education faculty are actively engaged in scholarship.

Standard 6: Unit Governance and Resources

(Initial and Advanced) The institution does not provide sufficient personnel for unit leadership and operations.

Following appropriate meeting protocol, the AAC made the following decisions:

- 1) Voted (6-0) that the BOE team followed approved accreditation guidelines when conducting the visit.
- 2) Voted (6-0) to agree with the areas for improvement cited in the BOE Report.
- 3) Voted (6-0) to agree with the BOE team that all standards are met.

In addition to decisions identified above, the AAC recommends **ACCREDITATION** (Vote: 6-0) and **PROGRAM APPROVAL** for Union College (Vote: 6-0).

UNIVERSITY OF THE CUMBERLANDS

Dr. Sam Evans read a statement regarding the request made by University of the Cumberland that he recuse from participation in the decision-making process of the Accreditation Audit Committee. His statement is appended to these minutes (Appendix A). Following his statement he left the meeting and is identified as absent.

Ms. Stevens recused from the committee as she had served as the KEA Observer for this visit.

Dr. Renee Campoy served as co-chair of the joint NCATE/state team and presented the report on behalf of the BOE team. Dr. Campoy provided an overview of the accreditation visit by identifying the team members and providing a summary of the areas for improvement as cited by NCATE. She reported that the BOE team recommends all six standards are met at both the initial and advanced levels. Since this was a first NCATE visit, there are no corrected or continued areas for improvement. She noted there was a lack of evidence provided by the unit to demonstrate the involvement of the P-12 community. There was some misunderstanding on behalf of the chair regarding the difference between what the BOE team recommended and what NCATE had cited.

Dr. Susan Rose, Dean of the School of Education, presented on behalf of the institution and provided a copy of her presentation (Appendix B) to each member of the committee. She indicated that the institution was pleased with the report. She also provided some suppositions as to NCATE's cited areas for improvement, which were different from those identified in the final BOE report. She reported changes had been made to the monitoring system of the field/clinical experiences which will provide evidence needed to demonstrate field/clinical experiences for all candidates.

Ms. Blevins affirmed the findings and understanding of the areas for improvement. She confirmed the need for better documentation and evidence to be provided by University of the Cumberland (UC). She noted appreciation of the changes made by UC and the improvements they have made to their programs. These improvements were also affirmed by the team chair.

The AAC reviewed each of the areas for improvement and chose to accept the recommendations of the BOE team as cited in the BOE Report on the following:

Corrected Areas for Improvement

This section is not applicable as this was a first NCATE/state joint visit.

Continued Areas for Improvement

This section is not applicable as this was a first NCATE/state joint visit.

New Areas for Improvement

Standard 2: Assessment System and Unit Evaluation

(Initial and Advanced) The unit assessment system is not routinely evaluated by the P-12 professional community.

NCATE wording: The P-12 community is not systematically involved in the development and evaluation of the assessment system.

Standard 3: Field Experiences and Clinical Practice

(Initial) The unit does not systematically involve P-12 partners in the design of field and clinical experiences.

(Advanced) The unit does not ensure candidates in the advanced programs have field experiences working with diverse students.

NCATE removed both areas for improvement in this standard.

Standard 4: Diversity

(Advanced) The unit did not provide evidence that all candidates in advanced programs have interaction with P-12 school faculty and P-12 students from at least two ethnic/racial groups.

NCATE wording: The unit does not ensure that advanced candidates have field and clinical experiences with P-12 students from different socioeconomic groups, students from diverse ethnic/racial groups, English language learners, and students with disabilities.

Following appropriate meeting protocol, the AAC made the following decisions:

- 1) Voted (4-0, 1 recusal, 1 absent) that the BOE team followed approved accreditation guidelines when conducting the visit.
- 2) Voted (4-0, 1 recusal, 1 absent) to agree with the areas for improvement cited in the BOE Report.
- 3) Voted (4-0, 1 recusal, 1 absent) to agree with the BOE team that all standards are met.

In addition to decisions identified above, the AAC recommends **ACCREDITATION** (Vote: 4-0, 1 recusal, 1 absent) and **PROGRAM APPROVAL** for University of the Cumberlands (Vote: 4-0, 1 recusal, 1 absent).

BIENNIAL REVIEW

The AAC conducted biennial reviews for four institutions – Georgetown College, Lindsey Wilson College, Northern Kentucky University, and University of Pikeville. The committee reviewed two years of consecutive annual reports (2013-2014 and 2014-2015) submitted to the EPSB by the institutions.

Following the completion of the Biennial Reviews staff presented a report on the current work of the Program and Accreditation Review Committee (PARC).

The meeting adjourned at 1:30 p.m.

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

Section 20. Official State Accreditation Action by the Education Professional Standards Board. (1) A recommendation from the Accreditation Audit Committee shall be presented to the full EPSB.

(2) The EPSB shall consider the findings and recommendations of the Accreditation Audit Committee and make a final determination regarding the state accreditation of the educator preparation unit.

(3) Decision options following a first accreditation visit shall be "accreditation", "provisional accreditation", "denial of accreditation", or "revocation of accreditation".

(a) Accreditation.

1. This accreditation decision indicates that the unit meets each of the six (6) NCATE standards for unit accreditation. Areas for improvement may be cited, indicating problems warranting the institution's attention. In its subsequent annual reports, the professional education unit shall be expected to describe progress made in addressing the areas for improvement cited in the EPSB's action report.

2. The next on-site visit shall be scheduled five (5) years following the semester of the visit.

(b) Provisional accreditation.

1. This accreditation decision indicates that the unit has not met one (1) or more of the NCATE standards. The unit has accredited status but shall satisfy provisions by meeting each previously-unmet standard. EPSB shall require submission of documentation that addresses the unmet standard or standards within six (6) months of the accreditation decision, or shall schedule a visit focused on the unmet standard or standards within two (2) years of the semester that the provisional accreditation decision was granted. If the EPSB decides to require submission of documentation, the institution may choose to waive that option in favor of the focused visit within two (2) years. Following the focused visit, the EPSB shall decide to:

a. Accredit; or

b. Revoke accreditation.

2. If the unit is accredited, the next on-site visit shall be scheduled for five (5) years following the semester of the first accreditation visit.

(c) Denial of accreditation. This accreditation decision indicates that the unit does not meet one (1) or more of the NCATE standards, and has pervasive problems that limit its capacity to offer quality programs that adequately prepare candidates.

(d) Revocation of accreditation. This accreditation decision indicates that the unit has not sufficiently addressed the unmet standard or standards following a focused visit.

(4) Decision options following a continuing accreditation visit shall be "accreditation", "accreditation with conditions", "accreditation with probation", or "revocation of accreditation".

(a) Accreditation.

1. This accreditation decision indicates that the unit meets each of the six (6) NCATE standards for unit accreditation. Areas for improvement may be cited, indicating problems warranting the institution's attention. In its subsequent annual reports, the professional education unit shall be expected to describe progress made in addressing the areas for improvement cited in EPSB's action report.

2. The next on-site visit shall be scheduled for seven (7) years following the semester of the visit.

(b) Accreditation with conditions.

1. This accreditation decision indicates that the unit has not met one (1) or more of the NCATE standards. If the EPSB renders this decision, the unit shall maintain its accredited status, but shall satisfy conditions by meeting previously unmet standards. EPSB shall require submission of documentation that addresses the unmet standard or standards within six (6) months of the decision to accredit with conditions, or shall schedule a visit focused on the unmet standard or standards within two (2) years of the semester that the accreditation with conditions decision was granted. If the EPSB decides to require submission of documentation, the institution may choose to waive that option in favor of the focused visit within two (2) years. Following the focused visit, the EPSB shall decide to:

a. Continue accreditation; or

b. Revoke accreditation.

2. If the EPSB renders the decision to continue accreditation, the next on-site visit shall be scheduled for seven (7) years following the semester in which the continuing accreditation visit occurred.

(c) Accreditation with probation.

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1. This accreditation decision indicates that the unit has not met one (1) or more of the NCATE standards and has pervasive problems that limit its capacity to offer quality programs that adequately prepare candidates. As a result of the continuing accreditation review, the EPSB has determined that areas for improvement with respect to standards may place an institution's accreditation in jeopardy if left uncorrected. The institution shall schedule an on-site visit within two (2) years of the semester in which the probationary decision was rendered. This visit shall mirror the process for first accreditation. The unit as part of this visit shall address all NCATE standards in effect at the time of the probationary review at the two (2) year point. Following the on-site review, the EPSB shall decide to:

- a. Continue accreditation; or
- b. Revoke accreditation.

2. If accreditation is continued, the next on-site visit shall be scheduled for five (5) years after the semester of the probationary visit.

(d) Revocation of accreditation. Following a comprehensive site visit that occurs as a result of an EPSB decision to accredit with probation or to accredit with conditions, this accreditation decision indicates that the unit does not meet one (1) or more of the NCATE standards, and has pervasive problems that limit its capacity to offer quality programs that adequately prepare candidates. Accreditation shall be revoked if the unit:

1. No longer meets preconditions to accreditation, such as loss of state approval or regional accreditation;
2. Misrepresents its accreditation status to the public;
3. Falsely reports data or plagiarized information submitted for accreditation purposes; or
4. Fails to submit annual reports or other documents required for accreditation.

(5) Notification of EPSB action to revoke continuing accreditation or deny first accreditation, including failure to remove conditions, shall include notice that:

(a) The institution shall inform students currently admitted to a certification or rank program of the following:

1. A student recommended for certification or advancement in rank within the twelve (12) months immediately following the denial or revocation of state accreditation and who applies to the EPSB within the fifteen (15) months immediately following the denial or revocation of state accreditation shall receive the certificate or advancement in rank; and
2. A student who does not meet the criteria established in subparagraph 1 of this paragraph shall transfer to a state accredited education preparation unit in order to receive the certificate or advancement in rank; and

(b) An institution for which the EPSB has denied or revoked accreditation shall seek state accreditation through completion of the first accreditation process. The on-site accreditation visit shall be scheduled by the EPSB no earlier than two (2) years following the EPSB action to revoke or deny state accreditation.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE
Action Item D**

Action Item:

University of the Cumberlands: Accreditation of the Educator Preparation Unit and Approval of Programs

Applicable Statute or Regulation:

KRS 161.028

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 grant first NCATE/state accreditation to the Educator Preparation Unit and approve the initial and advanced level preparation programs at University of the Cumberlands?

Background:

A joint NCATE/state Board of Examiners (BOE) team conducted the on-site evaluation of the Educator Preparation Unit at University of the Cumberlands on March 22 – 25, 2015. The joint BOE team found all standards were met with four areas for improvement. The BOE also reviewed program review documents as part of the on-site visit and found them to be in compliance with program guidelines as established and approved by the EPSB. At its June 30, 2015, meeting the Accreditation Audit Committee (AAC) met (see attached minutes) and reviewed the accreditation materials including the Institutional Report, the Off-Site BOE Report, the IR Addendum, and the On-Site BOE Report. There were four areas for improvement identified by the BOE team.

The AAC reviewed each area for improvement cited in the BOE Report and NCATE Action Report. The NCATE Action Report indicated that NCATE had reworded some of the areas for improvement statements and removed some of the BOE recommended areas for improvement. These differences are identified below.

New

Standard 2: Assessment System and Unit Evaluation

(Initial and Advanced) The unit assessment system is not routinely evaluated by the P-12 professional community.

NCATE wording: The P-12 community is not systematically involved in the development and evaluation of the assessment system.

Standard 3: Field Experiences and Clinical Practice

(Initial) the unit does not systematically involve P-12 partners in the design of field and clinical experiences.

(Advanced) The unit does not ensure candidates in the advanced programs have field experiences working with diverse students.

NCATE removed both areas for improvement in this standard.

Standard 4: Diversity

(Advanced) The unit did not provide evidence that all candidates in advanced programs have interaction with P-12 school faculty and P-12 students from at least two ethnic/racial groups.

NCATE wording: The unit does not ensure that advanced candidates have field and clinical experiences with P-12 students from different socioeconomic groups, students from diverse ethnic/racial groups, English language learners, and students with disabilities.

The AAC voted to agree with the findings of the BOE team as cited in the BOE Report. Pursuant to 16 KAR 5:010, Section 19, the AAC accepts the areas for improvement as identified by the BOE team and recommends: (1) ACCREDITATION and (2) APPROVAL OF THE INITIAL AND ADVANCED LEVEL EDUCATOR PREPARATION PROGRAMS at University of the Cumberlands.

Groups/Persons Consulted

Content Area Program Reviewers
Continuous Assessment Review Committee
Reading Committee
Joint NCATE/State Board of Examiners Team
Accreditation Audit Committee

Alternative Actions:

Issue One: Unit Accreditation

1. Accept the recommendation of the AAC and grant ACCREDITATION for University of the Cumberlands.
2. Modify the AAC recommendation and grant PROVISIONAL ACCREDITATION for University of the Cumberlands.

Agenda Book

3. Do not accept the AAC recommendation and DENY ACCREDITATION for University of the Cumberlands.

Issue Two: Program Approval

1. Accept the recommendation of the AAC and grant APPROVAL for the initial and advanced level educator preparation programs at University of the Cumberlands.
2. Modify the AAC recommendation and grant APPROVAL WITH CONDITIONS for the initial and advanced level educator preparation programs at University of the Cumberlands.
3. Do not accept the AAC recommendation and stipulate DENIAL OF APPROVAL for the initial and advanced level educator preparation programs at University of the Cumberlands.

AAC Recommendation:

Issue One: Alternative 1

Issue Two: Alternative 1

Rationale:

The Joint NCATE/State BOE team and AAC followed national and state guidelines for accreditation of educator preparation programs.

Contact Person:

Ms. Allison Bell, Program Consultant II
Division of Educator Preparation
(502) 782-2142
Allison.Bell@ky.gov

Date:

February 19, 2016

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item E

Action Item:

Union College: Accreditation of the Educator Preparation Unit and Approval of Programs

Applicable Statute or Regulation:

KRS 161.028

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 grant first NCATE/state accreditation to the Educator Preparation Unit and approve the initial and advanced level preparation programs at Union College?

Background:

A joint NCATE/state Board of Examiners (BOE) team conducted the on-site evaluation of the Educator Preparation Unit at Union College on March 15 – 18, 2015. The joint BOE team found all standards were met with three areas for improvement. The BOE also reviewed program review documents as part of the on-site visit and found them to be in compliance with program guidelines as established and approved by the EPSB. At its June 30, 2015, meeting the Accreditation Audit Committee (AAC) met (see attached minutes) and reviewed the accreditation materials including the Institutional Report, the Off-Site BOE Report, the IR Addendum, and the On-Site BOE Report. There were three areas for improvement identified by the BOE team.

The AAC reviewed each area for improvement cited in the BOE Report and NCATE Action Report.

New

Standard 4: Diversity

(Initial and Advanced) Candidates in initial and advanced programs have limited opportunities to interact with ethnically or racially diverse candidates.

Standard 5: Faculty Qualifications, Performance, and Development

(Initial and Advanced) The unit lacks sufficient evidence that the professional education faculty are actively engaged in scholarship.

Standard 6: Unit Governance and Resources

(Initial and Advanced) The institution does not provide sufficient personnel for unit leadership and operations.

The AAC voted to agree with the findings of the BOE team as cited in the BOE Report. Pursuant to 16 KAR 5:010, Section 19, the AAC accepts the areas for improvement as identified by the BOE team and recommends: (1) ACCREDITATION and (2) APPROVAL OF THE INITIAL AND ADVANCED LEVEL EDUCATOR PREPARATION PROGRAMS at Union College.

Groups/Persons Consulted

Content Area Program Reviewers
Continuous Assessment Review Committee
Reading Committee
Joint NCATE/State Board of Examiners Team
Accreditation Audit Committee

Alternative Actions:

Issue One: Unit Accreditation

1. Accept the recommendation of the AAC and grant ACCREDITATION for Union College.
2. Modify the AAC recommendation and grant PROVISIONAL ACCREDITATION for Union College.
3. Do not accept the AAC recommendation and DENY ACCREDITATION for Union College.

Issue Two: Program Approval

1. Accept the recommendation of the AAC and grant APPROVAL for the initial and advanced level educator preparation programs at Union College.
2. Modify the AAC recommendation and grant APPROVAL WITH CONDITIONS for the initial and advanced level educator preparation programs at Union College.
3. Do not accept the AAC recommendation and stipulate DENIAL OF APPROVAL for the initial and advanced level educator preparation programs at Union College.

AAC Recommendation:

Issue One: Alternative 1

Issue Two: Alternative 1

Rationale:

The Joint NCATE/State BOE team and AAC followed national and state guidelines for accreditation of educator preparation programs.

Contact Person:

Ms. Allison Bell, Program Consultant II
Division of Educator Preparation
(502) 782-2142
Allison.Bell@ky.gov

Date:

February 19, 2016

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver A

Action Item:

Waiver of 16 KAR 5:010: Standards for accreditation of educator preparation units and approval of programs for the University of Louisville

Applicable Statutes and Regulations:

KRS 161.028
16 KAR 5:010

Applicable Goal:

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

Issue:

Should the Education Professional Standards Board waive section 2(2)(b) of 16 KAR 5:010, national accreditation standards which are set out in the “Professional Standards for the Accreditation of Teacher Preparation Institutions” established by NCATE, for the University of Louisville in anticipation of its next accreditation visit scheduled for fall 2016 and use the five (5) Council for the Accreditation of Educator Preparation (CAEP) accreditation standards instead of the six (6) NCATE accreditation standards?

Background:

In July 2013 the Council for the Accreditation of Educator Preparation (CAEP) became fully operational as the sole national accrediting body for educator preparation providers. Goal 1 of the EPSB’s Strategic Plan is for all Kentucky’s educator preparation providers to achieve and maintain CAEP as well as state accreditation. At the June 8, 2015, meeting of the EPSB, the Board approved the CAEP Standards for use in accreditation for Kentucky educator preparation providers. The educator preparation institutions in Kentucky that hold NCATE accreditation are beginning the process of transitioning to the CAEP Standards and seeking CAEP accreditation.

16 KAR 5:010 is the administrative regulation that establishes the standards for accreditation of an educator preparation unit. Currently Section 2(2)(b) identifies six (6) accreditation standards of NCATE as the basis of the accreditation decisions. In fall 2016 the College of Education and Human Development at the University of Louisville will be seeking CAEP accreditation and providing evidence of the five (5) CAEP Accreditation Standards.

Alternative Actions:

1. Approve the proposed waiver of 16 KAR 5:010 Section 2(2)(b).
2. Modify the proposed waiver of 16 KAR 5:010 Section 2(2)(b).
3. Do not approve the proposed waiver of 16 KAR 5:010 Section 2(2)(b).

Rationale:

A waiver of Section 2(2)(b) 16 KAR 5:010 of the regulation is necessary for each Educator Preparation Provider (EPP) seeking CAEP accreditation in order to ensure the EPPs are in compliance with the EPSB regulations.

Contact Person:

Ms. Allison Bell, Program Consultant II
Division of Educator Preparation
(502) 782-2142
Allison.Bell@ky.gov

Date:

February 19, 2016

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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 1. Definitions. (1) "AACTE" means the American Association of Colleges for Teacher Education.

(2) "Biennial report" means the report prepared by the EPSB summarizing the institutionally-prepared annual reports for a two (2) year period.

(3) "Board of examiners" means the team who reviews an institution on behalf of NCATE or EPSB.

(4) "EPSB" means the Education Professional Standards Board.

(5) "NCATE" means the National Council for Accreditation of Teacher Education.

(6) "NCATE accreditation" means a process for assessing and enhancing academic and educational quality through voluntary peer review.

(7) "State accreditation" means recognition by the EPSB that an institution has a professional education unit that has met accreditation standards as a result of review, including an on-site team review.

Section 2. Accreditation Requirements. (1) An institution offering an educator certification program or a program leading to a rank change:

(a) Shall be accredited by the state; and

(b) May be accredited by NCATE.

(2) State accreditation shall be:

(a) A condition of offering an educator certification program or a program leading to a rank change; and

(b) Based on the national accreditation standards which include the program standards enumerated in KRS 161.028(1)(b), and which are set out in the "Professional Standards for the Accreditation of Teacher Preparation Institutions" established by NCATE. The accreditation standards shall include:

1. Standard 1 - Candidate Knowledge, Skills, and Dispositions. Candidates preparing to work in schools as teachers or other professional school personnel know and demonstrate the content, pedagogical, and professional knowledge, skills, and dispositions necessary to help all students learn. Assessments indicate that candidates meet professional, state, and institutional standards.

2. Standard 2 - Assessment System and Unit Evaluation. The unit has an assessment system that collects and analyzes data on applicant qualifications, candidate and graduate performance, and unit operations to evaluate and improve the unit and its programs.

3. Standard 3 - Field Experience and Clinical Practice. The unit and its school partners design, implement, and evaluate field experiences and clinical practice so that teacher candidates and other school personnel develop and demonstrate the knowledge, skills, and dispositions necessary to help all students learn.

4. Standard 4 - Diversity. The unit designs, implements, and evaluates curriculum and experiences for candidates to acquire and apply the knowledge, skills, and dispositions necessary to help all students learn. These experiences include working with diverse higher education and school faculty, diverse candidates, and diverse students in P-12 schools.

5. Standard 5 - Faculty Qualifications, Performance, and Development. Faculty are qualified and model best professional practices in scholarship, service, and teaching, including the assessment of their own effectiveness as related to candidate performance; they also collaborate with colleagues in the disciplines and schools. The unit systematically evaluates faculty performance and facilitates professional development.

6. Standard 6 - Unit Governance and Resources. The unit has the leadership, authority, budget, personnel, facilities, and resources including information technology resources, for the preparation of candidates to meet professional, state, and institutional standards.

(3) NCATE accreditation shall not be a condition of offering an educator certification program or a program leading to a rank change.

(4) All educator preparation institutions and programs operating in Kentucky that require licensure by the Council on Postsecondary Education under KRS 164.945, 164.946, 164.947, and 13 KAR 1:020 shall:

(a) Be accredited by the state through the EPSB under this administrative regulation as a condition of offering an educator certification program or a program leading to rank change; and

(b) Comply with the EPSB "Accreditation of Preparation Programs Procedure".

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver B

Action Item:

Waiver of 16 KAR 5:010: Standards for accreditation of educator preparation units and approval of programs for Murray State University

Applicable Statutes and Regulations:

KRS 161.028
16 KAR 5:010

Applicable Goal:

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

Issue:

Should the Education Professional Standards Board waive section 2(2)(b) of 16 KAR 5:010, national accreditation standards which are set out in the “Professional Standards for the Accreditation of Teacher Preparation Institutions” established by NCATE, for Murray State University in anticipation of its next accreditation visit scheduled for fall 2016 and use the five (5) Council for the Accreditation of Educator Preparation (CAEP) accreditation standards instead of the six (6) NCATE accreditation standards?

Background:

In July 2013 the Council for the Accreditation of Educator Preparation (CAEP) became fully operational as the sole national accrediting body for educator preparation providers. Goal 1 of the EPSB’s Strategic Plan is for all Kentucky’s educator preparation providers to achieve and maintain CAEP as well as state accreditation. At the June 8, 2015, meeting of the EPSB, the Board approved the CAEP Standards for use in accreditation for Kentucky educator preparation providers. The educator preparation institutions in Kentucky that hold NCATE accreditation are beginning the process of transitioning to the CAEP Standards and seeking CAEP accreditation.

16 KAR 5:010 is the administrative regulation that establishes the standards for accreditation of an educator preparation unit. Currently Section 2(2)(b) identifies six (6) accreditation standards of NCATE as the basis of the accreditation decisions. In fall 2016 the College of Education and Human Services at Murray State University will be seeking CAEP accreditation and providing evidence of the five (5) CAEP Accreditation Standards.

Alternative Actions:

1. Approve the proposed waiver of 16 KAR 5:010 Section 2(2)(b).
2. Modify the proposed waiver of 16 KAR 5:010 Section 2(2)(b).
3. Do not approve the proposed waiver of 16 KAR 5:010 Section 2(2)(b).

Rationale:

A waiver of Section 2(2)(b) 16 KAR 5:010 of the regulation is necessary for each Educator Preparation Provider (EPP) seeking CAEP accreditation in order to ensure the EPPs are in compliance with the EPSB regulations.

Contact Person:

Ms. Allison Bell, Program Consultant II
Division of Educator Preparation
(502) 782-2142
Allison.Bell@ky.gov

Date:

February 19, 2016

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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 1. Definitions. (1) "AACTE" means the American Association of Colleges for Teacher Education.

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(4) "EPSB" means the Education Professional Standards Board.

(5) "NCATE" means the National Council for Accreditation of Teacher Education.

(6) "NCATE accreditation" means a process for assessing and enhancing academic and educational quality through voluntary peer review.

(7) "State accreditation" means recognition by the EPSB that an institution has a professional education unit that has met accreditation standards as a result of review, including an on-site team review.

Section 2. Accreditation Requirements. (1) An institution offering an educator certification program or a program leading to a rank change:

(a) Shall be accredited by the state; and

(b) May be accredited by NCATE.

(2) State accreditation shall be:

(a) A condition of offering an educator certification program or a program leading to a rank change; and

(b) Based on the national accreditation standards which include the program standards enumerated in KRS 161.028(1)(b), and which are set out in the "Professional Standards for the Accreditation of Teacher Preparation Institutions" established by NCATE. The accreditation standards shall include:

1. Standard 1 - Candidate Knowledge, Skills, and Dispositions. Candidates preparing to work in schools as teachers or other professional school personnel know and demonstrate the content, pedagogical, and professional knowledge, skills, and dispositions necessary to help all students learn. Assessments indicate that candidates meet professional, state, and institutional standards.

2. Standard 2 - Assessment System and Unit Evaluation. The unit has an assessment system that collects and analyzes data on applicant qualifications, candidate and graduate performance, and unit operations to evaluate and improve the unit and its programs.

3. Standard 3 - Field Experience and Clinical Practice. The unit and its school partners design, implement, and evaluate field experiences and clinical practice so that teacher candidates and other school personnel develop and demonstrate the knowledge, skills, and dispositions necessary to help all students learn.

4. Standard 4 - Diversity. The unit designs, implements, and evaluates curriculum and experiences for candidates to acquire and apply the knowledge, skills, and dispositions necessary to help all students learn. These experiences include working with diverse higher education and school faculty, diverse candidates, and diverse students in P-12 schools.

5. Standard 5 - Faculty Qualifications, Performance, and Development. Faculty are qualified and model best professional practices in scholarship, service, and teaching, including the assessment of their own effectiveness as related to candidate performance; they also collaborate with colleagues in the disciplines and schools. The unit systematically evaluates faculty performance and facilitates professional development.

6. Standard 6 - Unit Governance and Resources. The unit has the leadership, authority, budget, personnel, facilities, and resources including information technology resources, for the preparation of candidates to meet professional, state, and institutional standards.

(3) NCATE accreditation shall not be a condition of offering an educator certification program or a program leading to a rank change.

(4) All educator preparation institutions and programs operating in Kentucky that require licensure by the Council on Postsecondary Education under KRS 164.945, 164.946, 164.947, and 13 KAR 1:020 shall:

(a) Be accredited by the state through the EPSB under this administrative regulation as a condition of offering an educator certification program or a program leading to rank change; and

(b) Comply with the EPSB "Accreditation of Preparation Programs Procedure".

**Education Professional Standards Board
Staff Note**

Action Item, Waiver C

Action Item:

Waiver of the Student Teacher Placement

Applicable Statues and Regulation:

KRS 161.028; KRS 161.030
16 KAR 5:040, Section 6(4)(a)

Application 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.

Issues:

Should the EPSB grant a waiver of the student teacher placement requirement that candidates pursuing a primary through grade 12 certificate must have placements balanced between an elementary and middle or high school placement?

Background:

Dr. Sam Evans, Dean, Western Kentucky University College of Education & Behavioral Sciences, is requesting a waiver of Regulation 16 KAR 5:040, Section 6 (4)(a) which requires “candidates pursuing a primary through grade 12 certificate to have their student teaching balanced between an elementary school placement and middle school or high school placement.” This request is for a placement to take place during the Spring 2016 semester. Four Western Kentucky University (WKU) student teachers seeking certification in Foreign Language P-12 need to have their entire placement with a secondary teacher. There are no foreign language programs for elementary schools in the Warren County/Bowling Green School area.

Candidate	Certification Sought	Prospective Cooperating Teacher	Placement School
Brian Steiner	Spanish P-12	Lena May	Bowling Green High
Cesia Heinlein	Spanish P-12	Florence Laramore	South Warren High
Jessica Greer	Spanish P-12	Annette Garcia	Warren Central High
Nathaniel Chapman	French P-12	Kerrin Burk	Gallatin High Sumner, TN

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The student teachers will be expected to gain multi-grade level experiences through ESL experiences. A principal in each of the placement schools has written a letter in support of the waiver request, providing positive evidence of each prospective cooperating teacher's success in the classroom. Copies of those letters and letters of request from WKU were sent under separate cover. A copy of the regulation is attached to this request.

Alternative Actions:

1. Approve the waiver request of 16 KAR 5:040, Section 6 (4)(a).
2. Deny the waiver request of 16 KAR 5:040, Section 6 (4)(a).

Staff Recommendation

Alternative Action 1

Contact Person:

Jimmy Adams, Executive Director
Education Professional Standards Board
(502) 564-4606
Jimmy.Adams@ky.gov

Date:

February 19, 2016

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

Section 6. Professional Experience. (1) In addition to the appropriate NCATE standards incorporated by reference in 16 KAR 5:010, the educator preparation institution shall provide opportunities for the student teacher to assume major responsibility for the full range of teaching duties, including extended co-teaching experiences, in a real school situation under the guidance of qualified personnel from the educator preparation institution and the cooperating elementary, middle, or high school. The educator preparation program and the school district shall make reasonable efforts to place student teachers in settings that provide opportunities for the student teacher to develop and demonstrate the practical skills, knowledge, and professional dispositions essential to help all P-12 students learn and develop.

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

(3) Beginning September 1, 2013, the student teacher placement shall provide the student teacher with the opportunity to engage with diverse populations of students.

(4) Beginning September 1, 2013, each educator preparation institution shall provide a full professional semester to include a period of student teaching for a minimum of seventy (70) full days, or its equivalent, in instructional settings that correspond to the grade levels and content areas of the student teacher's certification program.

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

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

(c) Candidates seeking dual certification in either middle school or secondary content areas shall have equal placements in both content areas.

(5) Beginning September 1, 2013, the educator preparation program shall support the student teacher's placement and classroom experiences by:

(a) Cooperating with the district in determining the specific placement of the student teacher;

(b) Collaborating with the district to provide necessary program resources and expertise;

(c) Using multiple performance assessments to document the student teacher's ability to support learning for all P-12 students;

(d) Requiring the use of technology by the student teacher to:

1. Enrich the learning of P-12 students; and

2. Support the student teacher's professional growth and communication; and

(e) Providing opportunities for the student teacher to:

1. Engage in extended co-teaching experiences with an experienced teacher;

2. Engage in reflective self-assessment that informs practice;

3. Maintain regular professional conversations with experienced teachers other than the cooperating teacher;

4. Participate in regular and extracurricular school activities;

5. Participate in professional decision making; and

6. Engage in collegial interaction and peer review with other student teachers.

(6) The educator preparation program shall use the Kentucky Teacher Internship Program Teacher Performance Assessment tasks established in 16 KAR 7:010, Section 2, or a variation of these tasks to meet the requirement specified in subsection (5) of this section.

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

(8) A student teacher shall not be employed within the school in which he or she is assigned concurrent with student teaching.

(9) The educator preparation program shall maintain electronic records that confirm that all students admitted after September 1, 2013, meet the requirements of this section...

**Education Professional Standards Board
Staff Note**

Action Item, Waiver D

Action Item:

Waiver of Cooperating Teacher qualification requirements for student teaching

Applicable Statutes and Regulation:

16 KAR 5:040

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 grant a waiver of the cooperating teacher qualification requirements for hosting a student teacher for Eastern Kentucky University?

Background:

Dr. Laurence Hayes, Interim Dean, Eastern Kentucky University College of Education, is requesting a waiver of 16 KAR 5:040, Section 2(b), which requires all cooperating teachers have at least three years of teaching experience as a certified educator to be eligible for hosting a student teacher. Eastern Kentucky University is requesting this requirement be waived for Ms. Leah Richards. While student teacher, Libby Guth, was completing her second student teaching placement, the cooperating teacher stepped down due to an unexpected illness. The principal reassigned Ms. Guth to Ms. Richards' class to complete her second placement. However, Ms. Richards does not have the required experience to serve as a Cooperating Teacher as stated in 16 KAR 5:040. Additional documentation is available under separate cover.

Alternative Actions:

1. Approve the waiver request of 16 KAR 5:040, Section 2(b).
2. Do not approve the waiver request of 16 KAR 5:040, Section 2(b).

Contact Person:

Date:

February 19, 2016

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

RELATES TO: KRS 161.020, 161.028, 161.030, 161.042

STATUTORY AUTHORITY: KRS 161.028, 161.030, 161.042

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028 requires that an educator preparation institution be approved for offering the preparation program corresponding to a particular certificate on the basis of standards and procedures established by the Education Professional Standards Board. KRS 161.030 requires that a certificate be issued to a person who has completed a program approved by the Education Professional Standards Board. KRS 161.042 requires the Education Professional Standards Board to promulgate an administrative regulation relating to student teachers, including the qualifications for cooperating teachers. This administrative regulation establishes the standards for admission, placement, and supervision in student teaching.

Section 1. Definition. "Cooperating teacher" means a teacher employed in a public school or a nonpublic school which meets the state performance standards as established in KRS 156.160 or which has been accredited by a regional or national accrediting association who is contracting with an educator preparation institution to supervise a student teacher for the purpose of fulfilling the student teaching requirement of the approved educator preparation program.

Section 2. Cooperating Teacher Eligibility Requirements. (1) The cooperating teacher, whether serving in a public or nonpublic school, shall have:

- (a) A valid teaching certificate or license for each grade and subject taught; and
- (b) At least three (3) years of teaching experience as a certified educator.

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

(3) The district and educator preparation program shall select teachers to be cooperating teachers who demonstrate the following:

- (a) Effective classroom management techniques that promote an environment conducive to learning;
- (b) Best practices for the delivery of instruction;
- (c) Mastery of the content knowledge or subject matter being taught;
- (d) Aptitude and ability to contribute to the mentoring and development of a preservice educator;
- (e) Usage of multiple forms of assessment to inform instruction; and
- (f) Creation of learning communities that value and build upon students' diverse backgrounds.

(4) An educator preparation program shall give a teacher who holds a teacher leader endorsement pursuant to 16 KAR 5:010, Section 12(3), priority consideration when selecting a cooperating teacher.

(5) Beginning September 1, 2013, prior to student teacher placement, a cooperating teacher shall receive training approved by the Education Professional Standards Board and provided at no cost to the cooperating teacher by the educator preparation institution which shall include the following components:

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

(6) Beginning September 1, 2013, educator preparation programs shall maintain a pool of cooperating teachers who have met the requirements of this section.

(7) Beginning September 1, 2013, each educator preparation institution shall file an electronic report with the Education Professional Standards Board every semester which identifies the following:

- (a) Each candidate at the educator preparation institution enrolled in student teaching;
- (b) The candidate's assigned school;
- (c) The cooperating teacher assigned to each candidate;
- (d) The cooperating teacher's area of certification;
- (e) The cooperating teacher's years of experience as a certified or licensed educator; and
- (f) The date the cooperating teacher completed the training required in subsection (5) of this section.

**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(s)?

Background:

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

Lori Ann Collard, Engineering and Technology, Grades 5-12

The application will be sent under separate cover.

Alternative Actions:

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

Contact Person:

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

Date:

February 19, 2016

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.)