

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

August 15, 2016

Monday, August 15, 2016

9:00 AM EDT Call to Order

Swearing In of New Board Members

Roll Call

Open Speak

Approval of Consent Items

- A. Approval of June 13, 2016, EPSB Meeting Minutes
(Pages 1-36)
- B. Interdisciplinary Early Childhood Education, Birth to Primary
(Initial Undergraduate Level), University of the Cumberlands
(Dr. Ben Boggs) (Pages 37-38)
- C. Middle School Grades 5-9: English, Math, Science, Social Studies
(Initial Graduate Level – MAT traditional and Option 6),
Campbellsville University (Dr. Boggs) (Pages 39-40)
- D. Approval of NASDTEC’s Course *Prevention and Correction:
Overview* as Training for Educators with Cases Before the EPSB
(Ms. Cassie Trueblood) (Pages 41-42)
- E. Approval of ACE Educational Services Courses as Training for
Educators with Cases Before the EPSB (Ms. Trueblood)
(Pages 43-44)

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. Teacher Leader Master’s Review Committee Update
(Dr. Sam Evans, Dr. Boggs)
- E. 2016 Annual Report
- F. Other Updates

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Report of the Chair

- A. Recognition of Former EPSB Members
- B. Report from the Nominating Committee for Chair and Vice Chair
- C. Appointment to the Kentucky Advisory Council on Internships
- D. Appointments to the Code of Ethics Review Ad Hoc Committee
- E. Appointment of an Ad Hoc Committee to Review the Board Goals and Strategic Plan Goals

Information/Discussion Items

- A. Awarded Contracts (Mr. Jimmy Adams) **(Pages 45-46)**
- B. Financial Report for Fiscal Year 2016 (Mr. Adams) **(Pages 47-48)**
- C. 16 KAR 4:040. Recency and Certification Fees, Amendment, Notice of Intent (Mr. Fields, Ms. Lang) **(Pages 49-56)**
- D. Meeting Policy Amendment (Ms. Lang) **(Pages 57-60)**

Action Items

- A. Proposed Executive Director Evaluation Policy and Revised Executive Director Evaluation Procedure (Ms. Lisa Lang) **(Pages 61-68)**
- B. 16 KAR 7:010. Kentucky Teacher Internship Program, Amendment, Final Action (Ms. Brockman: Ms. Lang) **(Pages 69-100)**
- C. 16 KAR 6:010. Examination Prerequisites for Teacher Certification, Amendment, Final Action (Ms. Brockman; Ms. Lang) **(Pages 101-122)**
- D. Policy and Procedures relating to Board Action Against a Certificate Holder's Certificate (Ms. Lang) **(Pages 123-150)**
- E. 16 KAR 1:030. Procedures for Certificate Revocation, Suspension, Reinstatement and Reissuance, and Application Denial, Amendment, Final Action (Ms. Lang) **(Pages 151-172)**
- F. KTIP Appeals (Ms. Brockman) **(Pages 173-174)**
- G. Accreditation of the Educator Preparation Unit and Approval of Programs, University of Kentucky (Dr. Boggs) **(Pages 175-184)**
- H. Accreditation of the Educator Preparation Unit and Approval of Programs, Brescia University (Dr. Boggs) **(Pages 185-188)**
- I. Bellarmine University Off-Campus Location Request (Dr. Boggs) **(Pages 189-190)**

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Waivers

- A. 16 KAR 6:020. Request to Waive Requirements Pertaining to the Written Examination Prerequisites for Occupation-Based Career and Technical Education Teachers (Ms. Brockman) **(Pages 191-192)**
- B. 16 KAR 2:120. Request to Waive the Requirement of Issuing More Than One Emergency Certificate to the Same Person, Superintendent Ronnie Dotson on behalf of Ms. Sarah McClanahan (Mr. Fields) **(Pages 193-196)**
- C. 16 KAR 8:020. Request to Waive Requirements Pertaining to Rank II, Steven Scudder (Mr. Fields) **(Pages 197-200)**
- D. 16 KAR 2:010. Request for Third Extension to Complete Master's Degree, Terry Gribbons (Mr. Fields) **(Pages 201-204)**

Alternative Route to Certification Applications

- A. Matthew Gunterman, Business and Marketing, Grades 5-12 (Mr. Fields) **(Pages 205-208)**
- B. Jeffrey Stone, Physics, Grades 8-12 (Mr. Fields) **(Pages 209-210)**
- C. Wayne Turbeville, Chemistry, Grades 8-12 (Mr. Fields) **(Pages 211-212)**
- D. Danielle Wells, Business and Marketing Education, Grades 5-12 (Mr. Fields) **(Pages 213-214)**
- E. David Cesler, Business and Marketing Education, Grades 5-12 (Mr. Fields) **(Pages 215-216)**

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: October 10, 2016

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The actions delineated below were taken in open session of the EPSB at the June 13, 2016, 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

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

Call to Order

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

Mission Statement

Vice Chair David Whaley read the mission statement to the Board.

Swearing-In of New EPSB Members

Board secretary Ashley Abshire swore in new EPSB members and they briefly introduced themselves.

Roll Call

The following Board members were present during the June 13, 2016, EPSB meeting: Rob Akers, Sarah Burnett, Rachel Colyer, Ashley Fishback, David Graham, Robin Hebert, Donna Hedgepath, Mary John O'Hair, Sandy Sinclair-Curry, Anthony Strong, Cassandra Webb, and David Whaley. Tolya Ellis, Casey Gesenhues, Robert King, and William Owens were absent.

Approval of June 13, 2016, EPSB Meeting Agenda

Motion made by Dr. Mary John O'Hair, seconded by Dr. David Whaley, to approve the June 13, 2016, EPSB meeting agenda.

Vote: *Unanimous*

Open Speak

There were no requests for Open Speak.

Approval of Consent Items

2016-014

Motion made by Ms. Cassandra Webb, seconded by Mr. Graham, to approve the following items on the consent agenda:

Approval of April 11, 2016, EPSB Meeting Minutes

Environmental Education P-12 Endorsement (Graduate Level), Midway University

Vote: *Unanimous*

Dr. Ben Boggs recognized Midway University representatives whose program was recently approved.

Report of the Executive Director

Executive Director Adams introduced Dr. Ben Boggs as the new director for the Division of Educator Preparation. Prior to joining the EPSB, Dr. Boggs served as a policy analyst with the Kentucky Legislative Research Commission. Prior to his legislative work, he served as the President's Chief of Staff at Berea College.

Executive Director Adams reported that the biennial budget has been approved. He discussed budget cuts for the current fiscal year and the next biennium and explained that almost half of the agency budget is allocated for KTIP. Mr. Adams reported the agency has been given the ability to use restricted funds in an effort to defer fewer teachers to KTIP as a result of the budget cuts. He explained that restricted funds are generated through certification fees and announced that at the August meeting he will request an increase in certification fees. Increasing certification fees will be the first increase since the fees were established in 1997.

By statute, the Board is required to have an annual training. Executive Director Adams announced that he wanted to hold this training on the Sunday before the August meeting.

Report from the Kentucky Department of Education

Dr. Robin Hebert reported that the Kentucky Board of Education swore in five new members at its meeting the week prior.

Report from the Council on Postsecondary Education

No additional information.

Strategic Plan Update

This update was submitted as a report and provided in the Board's folders.

Other Updates

Dr. Ben Boggs gave an update on St. Catharine's College. He said that the Board of Trustees announced it will close on July 30 due to financial challenges. The College has about 600 full-time students, 12 of whom are enrolled in the education program. To help the students graduate and transfer degrees as conveniently as possible, St. Catharine College entered into Teach-Out Agreements with the following (7) seven Kentucky postsecondary institutions: Bellarmine University, Midway University, Georgetown College, Kentucky State University, Spencerian College, Sullivan University, and Kentucky Wesleyan College. He noted that Campbellsville University had also offered assistance but not with a formal Teach-Out Agreement. Kentucky State University is offering a \$900 incentive tuition scholarship for one academic year to students. Dr. Boggs said that the EPSB staff will continue to monitor the situation.

Mr. Terry Hibpshman provided an overview of the Kentucky Educator Preparation Accountability System that has been worked on since 2012. Dr. David Whaley asked if there would be a major impact on teacher education programs as result of the analysis. Mr. Hibpshman stated that there has been a closer effort between the EPSB and providers as a

cooperative effort with better data to make decisions. Dr. Mary John O'Hair asked if data will highlight programs that are over produced as well as shortage areas. Mr. Hibpshman said the system would indicate such programs and target areas. Mr. Adams added that a supply and demand and pipeline study is currently being researched by the Kentucky Center for Education and Workforce Development Statistics and he anticipated to have the results within the next few months.

Report of the Chair

Nominating Committee for Chair and Vice Chair

Chair Anthony Strong appointed the following individuals to the Nominating Committee: Sandy Sinclair-Curry (Chair), Tolya Ellis, and David Graham.

Appointments to the Executive Director Evaluation Committee

Dr. David Whaley gave a report to the Board regarding the executive director's evaluation. He summarized the current process and suggested how the Board might move forward. He said the Board did not have a written policy on the evaluation of the executive director. He also stated that the current executive director contract requires a mid-year review to be completed in June and an annual review to be completed by January 1.

Dr. Whaley recommended that the Board move forward in conducting a mid-year evaluation for Mr. Adams. He outlined his suggested procedure as follows: 1) Mr. Adams shall create a self-assessment narrative; 2) EPSB staff shall distribute evaluation materials to the Board; 3) EPSB staff shall collect and compile the evaluation results and provide the results to the evaluation committee; 4) The evaluation committee shall submit a draft summary and share it with the Board and Mr. Adams. Dr. Whaley said this process will allow the executive director to respond to items in his mid-year evaluation in preparation for the summative evaluation due on January 1. By consensus the Board encouraged Dr. Whaley to move ahead with the procedures he outlined.

Chair Strong appointed the following individuals to the Evaluation of the Executive Director Committee. Donna Hedgepath, Sandy Sinclair-Curry, and David Whaley.

Appointment to EPSB Waiver Committee

Chair Strong appointed Ashley Fishback to the EPSB Waiver Committee.

Recognition of Former EPSB Members

Chair Strong recognized the following out-going Board members for their valued service on the Board: Ellen Blevins, Esther Fatsy, Leslie Fields, Allen Kennedy, Ann Morgan, Sarah Thompson, and Kimberly Young. Ms. Fields and Ms. Morgan were present and received a plaque.

Information/Discussion Items

Awarded Contracts

Executive Director Adams reported on four (4) personal service contracts -three (3) CEO scorers and one (1) investigator- that were renewed for the biennium.

16 KAR 7:010. Kentucky Teacher Internship Program, Amendment, Notice of Intent

Dr. Sharon Brennan, chair of the Kentucky Advisory Council on Internships (KACI), reported on KACI's work since Fall 2013 of aligning KTIP with the Kentucky Department of Education's Professional Growth and Evaluation System. She shared how KACI involved all stakeholders in the work and continued to receive feedback. In the coming year KACI will continue to collect data and make changes, although these changes are expected to be minor. This regulation amendment will address the redesigned KTIP and will be brought back at the August EPSB meeting for final action.

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

Professional Learning and Assessment Division Director Donna Brockman reported to the Board that the proposed changes for this regulation amendment reflect changes that have been made to various tests by the Education Testing Service, as well as a new proposed test score (155) associated with the PRAXIS ® English To Speakers of Other Languages (5362) test. Dr. David Whaley had some questions pertaining to the pass rates of other tests within the regulation which Ms. Brockman and Ms. Lisa Lang addressed. This item will be brought back at the August EPSB meeting for final action.

Policy and Procedures relating to Board Action Against a Certificate Holder's Certificate

General Counsel Lisa Lang explained that currently the EPSB does not have written policy as it relates to proceedings related to certification. She further explained that the EPSB does not have a comprehensive set of procedures that fully set forth the process by which the EPSB takes action against a certificate holder's certificate. She presented proposed policy and procedures as a result. This item will be brought back at the August EPSB meeting for final action.

16 KAR 1:030. Procedures for Certificate Revocation, Suspension, Reinstatement and Reissuance, and Application Denial, Amendment, Notice of Intent

General Counsel Lang reported on proposed changes to 16 KAR 1:030. There was no Board discussion. This item will be brought back at the August EPSB meeting for final action.

16 KAR 2:010. Kentucky Teaching Certificates, Amendment, Notice of Intent

Division of Certification Director John Fields explained to the Board that after 16 KAR 2:010 was amended in 2014 to require the EPSB to obtain a national and state criminal background check before issuing an initial Kentucky teacher certification, the EPSB's ability to process applications for these teacher certifications was hampered significantly because of the extended period of time it was taking to process criminal background checks. At the August 10, 2015,

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Board meeting the EPSB waived 16 KAR 2:010(2)(4) and directed staff to remove the language that requires a background check for certification due to the local districts' requirements of KRS 160.380(5)(a) and (b) that include language for districts to notify the EPSB of any criminal history they find during their review of criminal background records checks. This item will be brought back at the August EPSB meeting for final action.

Executive Director Evaluation Policy Amendment

The Board had no further questions from what was discussed earlier in the meeting. This item will be brought back at the August EPSB meeting for final action.

Notice of Intent to Adopt Open Records Policy

Executive Staff Advisor Marcie Lowe explained the updated open records policy for the agency. The Board had no further questions.

Action Items

Recommendations from Combating Inappropriate Student-Teacher Relationships Task Force

2016-015

Motion made by Dr. Whaley, seconded by Dr. O'Hair, to approve the recommendations from the Combating Inappropriate Student-Teacher Relationships Task Force.

Vote: *Unanimous*

Waivers

16 KAR 5:040. Admission, Placement, and Supervision in Student Teaching, Dr. Laurence Hayes on behalf of Mr. Christian Gibson

2016-016

Motion made by Dr. O'Hair, seconded by Mr. Graham, to approve the waiver request for Dr. Laurence Hayes on behalf of Mr. Christian Gibson.

Vote: *Unanimous*

Request to Waive All Kentucky Teaching to Allow the EPSB to Process Certifications for Kentucky Teaching Certificates Pursuant to 16 KAR 2:010 Without a National and State Criminal Background Check

2016-017

Motion made by Dr. Whaley, seconded by Dr. Donna Hedgepath, to approve the waiver request to waive all Kentucky teaching certificates to allow the EPSB to process certifications for Kentucky Teaching Certificates pursuant to 16 KAR 2:010 without a national and state criminal background check.

Vote: *Unanimous*

Board Comments

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Dr. Whaley asked to clarify the Board meeting date for August. A Doodle survey will be sent to the Board to determine if the August 8 date needs to be changed due to potential opening day conflicts for Board members. Mr. Adams said that the Board will approve any new dates moving forward in August.

DISCIPLINARY MATTERS: MINUTES OF CASE REVIEW June 13, 2016

Motion made by Dr. O’Hair, seconded by Ms. Sandy Sinclair-Curry, to go into closed session for the purpose of discussing pending litigation and disciplinary matters in accordance with KRS 61.810(1) (c) & (j).

Vote: *Unanimous*

Motion made by Dr. Whaley, seconded by Ms. Sinclair-Curry, to return to open session.

Vote: *Unanimous*

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

Rob Akers, Sarah Burnett, Rachel Colyer, Ashley Fishback, David Graham, Donna Hedgepath, Mary John O’Hair, Sandy Sinclair-Curry, Anthony Strong, Cassandra Webb, and David Whaley.

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

Initial Case Review

<u>Case Number</u>	<u>Decision</u>
1603167	Admonish
1603173	Admonish
1603229	Dismissed
1504179	Defer for Training
1603195	Defer for Training
160291	Hear
1603169	Dismissed
1604255	Dismissed
160257	Admonish
160253	Defer
1602155	Hear
1512855	Hear
1511821	Hear
1511823	Hear
1602101	Hear
1604247	Defer
1604249	Defer

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1602109	Hear	
160267	Hear	
1512865	Admonish	
1511827	Hear	
1511765	Hear	
1604269	Hear	
1603237	Defer for Training	<i>(Ms. Webb recused)</i>
1603239	Admonish	
1603171	Dismissed	
1602103	Admonish	
1603191	Hear	
1602163	Hear	
1512837	Admonish	
1602149	Admonish	
1604265	Dismissed	
1603197	Dismissed	
1603225	Admonish	
1604267	Admonish	
160259	Admonish	
1603179	Admonish	
1604271	Dismissed	
1512833	Dismissed	
1603193	Hear	
1602105	Admonish	
1511771	Hear	
160269	Admonish	
1511743	Admonish	
1603227	Hear	
160263	Defer for Training	
1603189	Defer for Training	
160255	Defer for Training	
160261	Defer for Training	
1511781	Defer for Training	
1602153	Hear	
1603203	Defer for Training	
160279	Defer for Training	<i>(Ms. Fishback recused)</i>
1603177	Hear	
160293	Defer for Training	
1603201	Hear	
1603199	Dismissed	
1603231	Dismissed	
1603233	Dismissed	
1603235	Dismissed	
1603185	Defer for Training	
1603183	Defer for Training	
160275	Defer for Training	

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1403185	Dismissed
1407393	Dismissed
160287	Dismissed
160271	Dismissed
160273	Dismissed
1512857	Dismissed
1207431	Dismissed
1511789	Dismissed
1511809	Dismissed
160277	Dismissed
1010622	Dismissed

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
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16280	Approve
16256	Approve
16351	Approve
16253	Approve
16297	Approve
16313	Approve
16345	Approve
16325	Approve
16365	Approve
16434	Approve
16432	Approve
16444	Approve
16453	Approve
16507	Approve
16513	Approve
16143	Approve
16260	Approve
16287	Approve
16366	Approve
16438	Approve
16410	Approve
16508	Deny
16462	Approve
16497	Approve
16502	Approve
16528	Approve
16531	Approve
16529	Approve
16279	Deny
16258	Approve
16134	Approve

(Ms. Burnett and Mr. Graham dissented)

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16282	Approve
16239	Approve
16202	Approve
16232	Approve
16270	Approve
16295	Approve
16333	Deny
16378	Approve
16293	Approve
1685	Deny

Agreed Orders

Case Number

Decision

1507519 Melissa Tabor

Accept Agreed Order admonishing Tabor for exercising poor professional judgment and for impeding the proper implementation of KRS 160.345. The Board reminds Tabor that as a principal, she must hold SBDM meetings within the bylaws. The Board will not tolerate any further incidents of misconduct by Tabor.

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

Vote: *Unanimous*

1508619 Matthew Spottswood

Accept Agreed Order admonishing Spottswood for failing to accord just and equitable treatment to all members of the profession in the exercise of their professional rights and responsibilities. Administrators must maintain appropriate working relationships with other members of the profession at all times. The Board will not tolerate any further instances of misconduct.

1. By August 31, 2016, Spottswood shall provide written proof to the Board that he has completed twelve (12) hours of professional development/training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense involved in meeting this condition shall be paid by Spottswood. If Spottswood fails to satisfy this condition, Certificate Number 201169055 shall be automatically suspended until Spottswood

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completes the required training and provides the appropriate written proof to the Board.

2. By August 31, 2016, Spottswood shall provide written proof to the Board that he has completed twelve (12) hours of professional development/training on Sexual Harassment, as approved by the Board. Any expense involved in meeting this condition shall be paid by Spottswood. If Spottswood fails to satisfy this condition, Certificate Number 201169055 shall be automatically suspended until Spottswood completes the required training and provides the appropriate written proof to the Board.

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

Vote: *Unanimous*

1508607 Richard Murray

Accept Agreed Order suspending Certificate Number 200001190 for a period of five (5) days beginning on May 27, 2015. Murray 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, Murray 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. The suspension may be noted on Murray's certificate.

Upon acceptance of this Agreed Order by the Board, Certificate Number 200001190, and any and all future endorsements or new areas of certification, shall be on probation for a period of one (1) year and six (6) months and subject to the following probationary conditions:

1. Murray 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 Murray; and
2. Murray 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. Any expense incurred for said training shall be paid by Murray; and

3. Murray 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, Murray agrees that should he fail to satisfy the terms of the probation, Certificate Number 200001190 shall be automatically suspended until Murray completes the requirements and provides the appropriate written proof to the Board.

Murray 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*

1508577 Austin Collins

Accept Agreed Order admonishing Collins for exercising poor professional judgment. As an educator in the Commonwealth of Kentucky, Collins has a duty to take reasonable measures to protect the health, safety and emotional well-being of all his students. The Board reminds Collins that safe crisis management should only be used if the student is a danger to himself or others, and when used, only proper techniques should be utilized to avoid injury to a student. The Board will not tolerate any further incidents of misconduct from Collins.

Upon acceptance of this Agreed Order by the Board, Certificate Number 201162626 shall be on one (1) year probation and subject to the following probationary conditions:

1. By December 1, 2016, Collins shall provide written proof to the Board that he has completed the Kentucky Department of Education's training entitled Promoting Positive Behavior in Schools I, II & III. Collins shall pay any expense incurred. If

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Collins fails to satisfy this condition, Certificate Number 201162626 shall be automatically suspended until Collins provides the appropriate written proof that the condition is satisfied.

2. Collins shall not receive any disciplinary action involving inappropriate physical force or improper safe crisis management holds with any student from school district in which he is employed. Should Collins fail to satisfy this condition, Certificate Number 201162626 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 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.

Collins 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*

1506317 Doni Beaupre

Accept Agreed Order suspending Certificate number 200004008, including any and all endorsements, for a period of six (6) days beginning June 5, 2015. Upon acceptance of this agreement by the Board, Beaupre 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.

Upon acceptance of this agreement by the Board, Beaupre’s teaching certificate, number 200004008 and any

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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. Beaupre shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, by June 1, 2016. Beaupre 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 Beaupre 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 Beaupre is continuing to comply with any and all treatment recommendations, and that she remains fit and competent to fulfill her duties as an educator. Any expense for the assessment, treatment, and/or written reports shall be paid by Beaupre.
2. Beaupre shall submit written proof to the Board that she has completed twelve (12) hours of training on the Professional Code of Ethics for Kentucky Certified School Personnel by June 1, 2016. Any expense for said training shall be paid by Beaupre.
3. Beaupre 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 Beaupre 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 Beaupre's certificate being automatically suspended pending Board review and disposition.
4. Beaupre shall submit a copy of her current criminal record, as prepared by the Kentucky State Police.

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Any expense to satisfy this condition shall be paid by Beaupre. Failure to comply with this condition will result in the denial of all applications for renewal and/or additional certification(s) submitted by Beaupre or on his behalf.

Should Beaupre fail to satisfy any of the above conditions, certificate number 200004008 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 (Dr. Strong recused)*

1006390 Jason Willis

Accept Agreed Order stating that Willis shall submit written proof to the Board that he has completed six (6) hours of diversity training, as approved by the Board, by September 1, 2016. Any expense for this training shall be paid by Willis.

If Willis fails to satisfy this condition, certificate number 200206678 shall be automatically suspended until Willis completes the required training and provides the appropriate written proof to the Board.

Vote: *Unanimous*

1508583 Norman Ricketts

Accept Agreed Order admonishing Ricketts for exercising poor professional judgment. The Board reminds Ricketts that he should only physically intervene on behalf of another employee when it is absolutely necessary to protect someone or when assistance is requested. Ricketts must always remain aware of the line between appropriate and inappropriate physical intervention when interacting with a student. Furthermore, Ricketts must first employ positive intervention strategies, before contemplating any physical interaction with a student. The Board will not tolerate any further incidents of misconduct by Ricketts.

Ricketts is currently retired with no immediate plans to return to teaching. However, prior to serving in any capacity that requires Kentucky certification, Ricketts shall first comply with the following conditions:

1. Ricketts shall provide written proof to the Board that he has completed the Kentucky Department of Education's training entitled Promoting Positive

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Behavior in Schools I, II & III. Ricketts shall pay any expense incurred. If Ricketts fails to satisfy this condition prior to returning to a certified position, Certificate Number 199701396 shall be administratively suspended until such condition is satisfied.

2. Ricketts shall provide written proof to the Board that he has completed training on appropriate non-physical de-escalation strategies, as approved by the Board. Ricketts shall pay any expense incurred. If Ricketts fails to satisfy this condition prior to returning to a certified position, Certificate Number 199701396 shall be administratively suspended until such condition is satisfied.

Ricketts 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*

1509679 Jennifer Durham

Accept Agreed Order administratively suspending Certificate Number 200003079. Reinstatement of Certificate Number 200003079 shall be conditioned upon the following:

1. Durham shall provide written proof to the Board from a Kentucky licensed physician, as approved by the Board, that she has complied with a comprehensive evaluation, and is fit to return to the classroom, presents as capable of performing her duties as an educator, is not a danger to herself or others, and is compliant with all treatment recommendations. Durham shall pay any expense incurred.
2. Durham shall provide written proof to the Board that she has completed professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Durham shall pay any expense incurred.
3. Durham shall provide written proof to the Board that she has completed professional development or

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training on classroom management, as approved by the Board. Durham shall pay any expense incurred.

Upon providing proof that she has satisfied the above conditions, Certificate Number 200003079 shall be reinstated. However, any and all certificates issued to Durham shall be subject to the following probationary conditions:

1. If the evaluating physician recommends ongoing treatment, Respondent shall provide to the Board quarterly written progress reports to begin three (3) months after submission of the initial evaluation to the Board, that she is compliant with all treatment recommendations, until the evaluating physician releases her from treatment. Durham shall pay any expense incurred.
2. At the Board's request, Durham shall sign a release of information with any treatment providers, allowing the Board to review her evaluation and treatment records. Durham shall pay any expense incurred.
3. Durham shall not receive any disciplinary action for violating the Professional Code of Ethics for Kentucky Certified School Personnel from any school district in which she 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 a tribunal 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.

If Durham fails to satisfy any of the probationary conditions, Certificate Number 200003079 shall be automatically suspended for a period of thirty (30) days, and subject to additional sanctions by the Board pursuant to KRS 161.120. Durham is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

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Vote: *Unanimous*

0612294 Carol Smith

Accept Agreed Order admonishing Smith for failing to maintain a positive learning environment in her classroom. All students, no matter the circumstance, must be treated with dignity and respect. Humiliation and disparagement are not appropriate classroom management techniques. The Board will not tolerate any further incidents of misconduct by Smith.

Smith is currently retired, with no immediate plans to return to the education profession. However, prior to returning to any position of employment that requires teaching certification; Smith shall first submit written proof that she has completed the following conditions:

1. Six (6) hours of professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Smith shall pay any expense incurred.
2. Six (6) hours of professional development or training on classroom management techniques, as approved by the Board. Smith shall pay any expense incurred.
3. Three (3) hours of professional development or training on diversity in the classroom, as approved by the Board. Smith shall pay any expense incurred.

If Smith uses her teaching certificate without first satisfying the above three (3) conditions, then Certificate/EPBSB Identification Number 11523 shall be administratively suspended until all conditions are met.

Furthermore, Certificate/EPBSB Identification Number 11523 shall be subject to the following probationary condition for the life of the certificate.

1. Smith shall not be disciplined by any school district for any conduct, which violates the Professional Code of Ethics for Kentucky Certified School Personnel. "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 a tribunal 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. If Smith violates this condition, then Certificate/EPSSB Identification Number 11523 shall be automatically suspended for a period of two (2) years, and subject to additional sanctions by the Board pursuant to KRS 161.120.

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

Vote: *Unanimous*

070461 Susan Hanks

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

Additionally, Certificate Number 200204862 shall be subject to the following probationary conditions:

1. On or before August 1, 2016 Hanks shall submit written proof to the Board that she has completed twelve (12) hours of professional development or training in the area of classroom management, as approved by the Board. Any expense required for said training shall be paid by Hanks. Should Hanks fail to satisfy this condition by August 1, 2016, Certificate Number 200204862 shall be administratively suspended until such condition is satisfied.

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

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

Vote: *Unanimous*

1511753 Timothy Adams

Accept Agreed Order suspending Adams' Professional Certificate For Instructional Leadership Supervisor of Instruction, Level 2 and Professional Certificate For Instructional Leadership - Principal, All Grades, Level 2 from September 15, 2015 through September 15, 2017, a period of two (2) years. Adams shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Prior to reinstatement, Adams shall first comply with the following conditions:

1. Adams shall provide written proof to the Board that he has completed professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Adams shall pay any expense incurred.
2. Adams shall provide written proof to the Board that he has completed professional development or training in the area of successful leadership, as approved by the Board. Adams shall pay any expense incurred.

If Adams fails to satisfy these conditions prior to the conclusion of the suspension period, Professional Certificate For Instructional Leadership Supervisor of Instruction, Level 2 and Professional Certificate For Instructional Leadership - Principal, All Grades, Level 2 shall not be reinstated until such conditions are satisfied. Adams is aware that should he violate KRS 161.120 in the

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future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

160297 Robert Howard

Accept Agreed Order admonishing Howard for exercising poor professional judgment in his discourse with students. The Board reminds Howard of his ethical duty to provide students with professional education services in consonance with accepted best practice known to him, and of his duty to exemplify behaviors, which maintain the dignity and integrity of the profession. The Board will not tolerate any further incidents of misconduct from Howard.

1. By December 1, 2016, Howard shall provide written proof to the Board that he has completed three (3) hours of professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel, with an emphasis on appropriate boundaries, as approved by the Board. Howard shall pay any expense incurred.
2. By December 1, 2016, Howard shall provide written proof to the Board that he has completed three (3) hours of professional development or training in the areas of sexual harassment awareness and sensitivity, as approved by the Board. Howard shall pay any expense incurred.

If Howard fails to satisfy the above two (2) conditions by December 1, 2016, Certificate Number 199901555 shall be administratively suspended until both conditions are satisfied. Howard 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*

1511749 Brittany Wieber

Accept Agreed permanently revoking Certificate Number 20117860. Wieber shall neither apply for nor be issued any teaching, administrative or emergency certificate in the Commonwealth of Kentucky at any time in the future. Wieber shall immediately surrender the original and all copies of her certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

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Vote: *Unanimous*

1106447 Gerrye Randall

Accept Agreed Order admonishing Randall for neglect of duty. Teachers have a duty to make a reasonable effort to communicate to parents information which should be revealed in the interest of the student. Further, the Professional Code of Ethics for Kentucky Certified School Personnel forbids the knowing distortion and/or misrepresentation of facts concerning educational issues. Failing to properly account for student progress and achievement through the use of meaningful and accurate assessment of student work is unethical and will not be tolerated. In the future, the Board expects Randall to uphold the Professional Code of Ethics for Kentucky Certified School Personnel.

Randall is currently retired. Prior to or within one (1) year of accepting any teaching and/or administrative position in the Commonwealth of Kentucky, Randall shall provide written proof to the Board that she has successfully completed twelve (12) hours of professional development or training, as approved by the Board, in classroom management. Any expense incurred for said training shall be paid by Respondent. If Randall fails to comply with the requirements of this paragraph, Certificate Number 000023503, and any future endorsements or new areas of certification, shall be automatically suspended until Randall submits the required written proof to the Board.

Vote: *Unanimous*

1308606 Sabrina Thompson

Accept Agreed Order stating that Thompson is currently retired. Should Thompson choose to come out of retirement, Thompson agrees to never apply for or accept employment as a certified administrator at any public school district in Commonwealth of Kentucky. If Thompson fails to satisfy this condition, any and all certificates issued to Thompson will automatically be suspended for a period of one (1) year from the date the Board obtains proof that Thompson has taken a position as an administrator.

Additionally, Thompson is admonished for failing to maintain the dignity and the integrity of the profession. As an administrator, Thompson is expected to be a role model

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for students and an example of good citizenship. This type of behavior embarrasses the profession and erodes the community's trust in educators. No further acts of misconduct by Thompson will be tolerated by the Board.

Furthermore, prior to accepting a position that requires Kentucky Teaching Certification, Thompson shall provide the Board with written proof that she has successfully completed the following:

1. Three (3) hours of professional development/training regarding the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense incurred for said trainings shall be paid by Thompson. If Thompson fails to satisfy this condition prior to employment in a Kentucky classroom position, any and all certificates issued to Thompson will automatically be suspended until the conditions are completed and the appropriate written proof is provided to the Board; and
2. Three (3) hours of fiscal management training. Any expense incurred for said trainings shall be paid by Thompson. If Thompson fails to satisfy this condition prior to employment in a Kentucky classroom position, any and all certificates issued to Thompson will automatically be suspended until the conditions are completed and the appropriate written proof is provided to the Board

Thompson 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*

1408564 John Kidd

Accept Agreed Order admonishing Kidd for exercising poor professional judgment and for impeding the proper implementation of KRS 160.345. The Board reminds Kidd 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 Kidd.

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Certificate Number 199801049, including any and all endorsements, is hereby subject to the following probationary conditions for a period of two (2) years from the date the Board accepts this Agreed Order:

1. By December 1, 2016, Kidd shall provide written proof to the Board that he has completed six (6) hours of training from a KDE approved provider on the subject of School-Based Decision Making (“SBDM”). If Kidd fails to satisfy this condition by December 1, 2016, Certificate Number 199801049 shall be administratively suspended until such condition is satisfied.
2. By December 1, 2016, Kidd shall submit written proof to the Board that he has completed six (6) hours of training on the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense for said training shall be paid by Kidd.
3. For the entirety of the probationary period, Kidd shall not receive any disciplinary action for violation of school law from any school district in which he 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 a tribunal and/or arbitration process.

Should Kidd fail to satisfy any of the above conditions, certificate number 199801049 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*

1511763 John Nason

Accept Agreed Order stating that Nason is retiring at the conclusion of the 2015-2016 school year, and has no immediate plans to return to teaching. However, prior to serving in any capacity that requires Kentucky certification, Nason shall provide written proof to the Board that he has completed six (6) hours of professional development or training on classroom management, as approved by the Board. Nason shall pay any expense incurred. If Nason

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fails to satisfy this condition prior to returning to a certified position, Certificate Number 15724 shall be administratively suspended until such condition is satisfied. Nason 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*

1505257 Lynn Hutchinson

Accept Agreed Order admonishing Hutchinson for violation of state school law, specifically KRS 161.020, and the Professional Code of Ethics for Kentucky Certified School Personnel. The Board reminds Hutchinson of her duty to accept positions and responsibilities only on the basis of professional preparation and legal qualifications. The Board will not tolerate any further incidents of misconduct by Hutchinson.

1. By December 1, 2016, Hutchinson shall provide written proof to the Board that she has completed one (1) hour of training from an EPSB approved trainer on the subject of "Employee Certification" as mandated by OEA. If Hutchinson fails to satisfy this condition by December 1, 2016, Certificate Number 000045404 shall be administratively suspended until such condition is satisfied.
2. By December 1, 2016, Hutchinson shall provide written proof to the Board that she has completed six (6) hours of professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Hutchinson shall pay any expense incurred. If Hutchinson fails to satisfy this condition by December 1, 2016, Certificate Number 000045404 shall be administratively suspended until such condition is satisfied.

Hutchinson 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*

1505259 Branton Creech

Accept Agreed Order admonishing Creech for violation of state school law, specifically KRS 161.020, and the

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Professional Code of Ethics for Kentucky Certified School Personnel. The Board reminds Creech of his duty to accept positions and responsibilities only on the basis of professional preparation and legal qualifications. The Board will not tolerate any further incidents of misconduct by Creech.

1. By December 1, 2016, Creech shall provide written proof to the Board that he has completed one (1) hour of training from an EPSB approved trainer on the subject of "Employee Certification" as mandated by OEA. If Creech fails to satisfy this condition by December 1, 2016, Certificate Number 000025037 shall be administratively suspended until such condition is satisfied.
2. By December 1, 2016, Creech shall provide written proof to the Board that he has completed six (6) hours of professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Creech shall pay any expense incurred. If Creech fails to satisfy this condition by December 1, 2016, Certificate Number 000025037 shall be administratively suspended until such condition is satisfied.

Creech 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*

160299 Christopher Lowe

Accept Agreed Order suspending Certificate Number 201132419 from November 2, 2015 through May 2, 2017. Lowe shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Prior to reinstatement of Certificate Number 201132419, Lowe shall comply with the following conditions:

1. Lowe shall provide written proof to the Board that he has completed twelve (12) hours of professional development or training on the Professional Code of

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Ethics for Kentucky Certified School Personnel, with an emphasis on appropriate educator/student boundaries, as approved by the Board. Lowe shall pay any expense incurred. If Lowe fails to satisfy this condition, Certificate Number 201132419 shall not be reinstated until such condition is satisfied.

2. Lowe shall provide at least two (2) letters of recommendation stating that he is morally and ethically fit to hold a teaching certificate. The letters of recommendation shall be written by educators who hold valid Kentucky teaching certificates that are in good standing at the time. If Lowe fails to satisfy this condition, Certificate Number 201132419 shall not be reinstated until such condition is satisfied.

Upon reinstatement, Certificate Number 201132419 shall be subject to the following probationary condition for a period of five (5) years:

1. Lowe 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 Lowe 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.

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

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Vote: *Unanimous*

CF 16240 John Carter

Accept Agreed Order issuing Carter 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. Carter shall submit written proof to the Board that he has successfully completed all terms and conditions set forth in Commonwealth v. Carter, John P. Case No. 13-F-00151 Bourbon District Court. Carter shall pay any expense incurred.
2. Carter shall submit written proof to the Board that he has completed a course on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Carter shall pay any expense incurred.

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

1. Carter shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. A violation is not considered a minor traffic violation if it is a violation for which jail time may be imposed. If Carter is convicted of, or enters a guilty or no contest plea, to any criminal charge other than minor traffic violations, he shall submit this information to the Board, in writing, within thirty (30) days. Failure to comply with this condition will result in Carter's certificate being automatically suspended pending Board review and disposition.
2. Carter shall submit a copy of his current criminal record, as prepared by the Administrative Office of the Courts, with any application for renewal of his certification(s) and/or for additional certification(s). Carter shall pay any expense incurred. Failure to comply with this condition will result in the denial of all applications for renewal and/or additional certification(s) submitted by Carter or on his behalf.

Vote: *Unanimous*

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1511829 Emily Shown

Accept Agreed Order admonishing Shown for failing to exemplify behaviors which maintain the dignity and integrity of the profession. Driving under the influence of alcohol is an especially dangerous activity that demonstrates a strong disregard for the health, welfare and safety of others. The Board will not tolerate any further incidents of misconduct from Shown.

Upon acceptance of this agreement by the Board, Certificate Number 201103595 shall be subject to the following probationary conditions:

1. By September 1, 2016, Shown shall provide written proof to the Board that she has complied with a comprehensive alcohol abuse assessment by a licensed or certified chemical dependency counselor, as approved by the Board, and is compliant with any treatment recommendations. Shown shall also submit quarterly written progress reports from the chemical dependency counselor until such time as she is released from treatment. Shown shall pay any expense incurred. If Shown fails to satisfy this condition, Certificate Number 201103595 shall be administratively suspended until such condition is satisfied.
2. With any application for renewal of her certificate(s) and/or any additional certificate(s), Shown shall provide a current copy of her criminal background check, as prepared by the Administrative Office of the Courts. Shown shall not receive any criminal citations, arrests, charges or convictions involving alcohol. Shown shall pay any expense incurred. If Shown fails to satisfy this condition, renewal of his certificate or issuance of any additional certificate shall be denied.
3. Shown shall not receive any disciplinary action involving alcohol from any school district in which she is employed. If Shown fails to satisfy this condition, Certificate Number 201103595 shall be automatically suspended for a period of thirty (30) days and subject to additional sanctions by the Board pursuant to KRS 161.120.

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“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.

Shown 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*

1507487 Paul Newton

Accept Agreed Order admonishing Newton for failure to use appropriate discourse with students. The Board reminds Newton that, as an educator, it is his duty to take reasonable measures to protect the health, safety, and emotional well-being of students. Newton must treat students with dignity and respect and consistently maintain a positive learning environment for all. Newton must be aware of the language and discourse used in the classroom and must refrain from subjecting students to embarrassment or disparagement. The Board will not tolerate any further incidents of misconduct from Newton.

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

If Newton fails to satisfy this condition, Certificate Number 200206239, including any and all endorsements, shall be automatically suspended until Newton completes the required training and provides the appropriate written proof to the Board.

Vote: *Unanimous*

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0805866 Tony Hawkins

Accept Agreed Order stating that Hawkins voluntarily, knowingly, and intelligently, surrenders his Certificate Number 200003339, 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 acceptance of this Agreed Order by the Board, Hawkins 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*

1407397 Angela Williams

Accept Agreed Order suspending Certificate Number 200407544 for a period of one (1) year beginning June 15, 2015. Upon acceptance of this agreement by the Board, Williams 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.

In addition to any educational requirements, reinstatement of Williams' certificate at the conclusion of the one (1) year suspension period is expressly conditioned upon Williams providing written evidence that she has complied with the following:

1. Williams shall provide written proof to the Board that she has been assessed by a state certified mental health counselor approved by the Board and is competent to fulfill her duties as an educator. Williams shall provide proof that she is compliant with all treatment recommendations. Any expense for the assessment, treatment and/or written reports shall be paid by Williams.
2. Williams shall provide written proof to the Board that she has completed a Psychosexual Assessment by a provider approved by the Sexual Offender Risk Assessment Advisory Board as defined in KRS 17.550(3), and that she does not pose a risk to students and/or minors. Williams shall provide proof that she has complied with any treatment recommendations proposed by the provider and shall continue to provide treatment records to the Board until she has been released from treatment by

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the provider. Any expense for the assessment, treatment and/or written reports shall be paid by Williams.

3. Williams shall provide written proof to the Board that she has successfully completed twelve (12) hours of training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board, which shall include instruction on appropriate teacher/student boundaries. Any expense incurred for said training shall be paid by Williams.
4. Williams shall provide the Board with at least two (2) letters of recommendation stating that Williams is morally and ethically fit to hold a teaching certificate. Such letters of recommendation must be written by educators who hold valid Kentucky teaching certificates that are currently in good standing.

Upon reinstatement, Certificate Number 000042538 shall be on probation for a period of eight (8) years and subject to the following probationary conditions:

1. If William's mental health counselor makes any treatment recommendations, Williams shall comply with the treatment recommendations. Williams shall submit written progress reports from her counselor to the Board by January 1st and July 1st of each year of the probationary period, unless the counselor releases her from treatment prior to the conclusion of the probationary period. The reports shall certify that Williams is fit to fulfill her duties as an educator and is complying with all treatment recommendations. Any expense for the treatment and/or written reports shall be paid by Williams. If Williams fails to satisfy this condition, Certificate Number 200407544 shall be automatically suspended until Williams provides the appropriate written proof to the Board.
2. Williams shall submit a copy of her current criminal record, as prepared by the Administrative Office of the Courts, with any application for renewal of her certification(s) and/or for additional certification(s).

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Any expense required to satisfy this condition shall be paid by Williams. Failure to comply with this condition will result in the denial of all applications for renewal and/or additional certification(s) submitted by Williams or on her behalf.

3. During the probationary period, Williams shall receive no disciplinary action involving teacher/student boundaries. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process. If Williams fails to satisfy this condition, Certificate Number 200407544 shall be automatically suspended pending Board review and disposition.

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

Vote: *Unanimous*

160289 Bobby Varney

Accept Agreed suspending Certificate number 000064073 from May 31, 2016 through August 7, 2016. Varney 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, Varney shall immediately surrender the original and all copies of his certificate to the EPSB by delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Upon the Board's acceptance of this Agreed Order, Varney's teaching certificate, number 000064073, 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. On or before October 1, 2016, Varney shall undergo an anger management assessment by a licensed clinical provider, as approved by the Board, and shall present written evidence to the Board that he has complied with the assessment process and has successfully completed all treatment recommendations. Any expense for the assessment, treatment, and/or written reports shall be paid by

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Varney. If Varney fails to comply with the requirements of this paragraph, Certificate Number 000064073, and any future endorsements or new areas of certification, shall be automatically suspended until Varney completes the required written documentation to the Board.

2. Varney 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 December 1, 2016. Any expense for said training shall be paid by Varney. If Varney fails to comply with the requirements of this paragraph, Certificate Number 000064073, and any future endorsements or new areas of certification, shall be automatically suspended until Varney completes the required written documentation to the Board.
3. For the entirety of the probationary period, Varney shall receive no disciplinary action involving conduct unbecoming by 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 Varney fails to comply with the requirements of this paragraph, Certificate Number 000064073, and any future endorsements or new areas of certification, shall be automatically suspended for a period of sixty (60) days.

Vote: *Unanimous*

1508621 Charles Harper

Accept Agreed Order Upon suspending Certificate Number 200010472 from June 24 - June 26 and June 29 - June 30, 2015, a period of five (5) days. Harper 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.

Upon the Board's acceptance of this Agreed Order, Harper's teaching certificate, number 200010472, and any future endorsements or new areas of certification, shall be on

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probation for a period of two (2) years and subject to the following probationary conditions:

1. On or before October 1, 2016, Harper shall undergo an anger management assessment by a licensed clinical provider, as approved by the Board, and shall present written evidence to the Board that he has complied with the assessment process and has successfully completed all treatment recommendations. Any expense for the assessment, treatment, and/or written reports shall be paid by Harper. If Harper fails to comply with the requirements of this paragraph, Certificate Number 200010472, and any future endorsements or new areas of certification, shall be automatically suspended until Harper completes the required written documentation to the Board.
2. Harper 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 December 1, 2016. Any expense for said training shall be paid by Harper. If Harper fails to comply with the requirements of this paragraph, Certificate Number 200010472, and any future endorsements or new areas of certification, shall be automatically suspended until Harper completes the required written documentation to the Board; and
3. For the entirety of the probationary period, Harper 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 Harper fails to comply with the requirements of this paragraph, Certificate Number 200010472, and any future endorsements or new areas of certification, shall be automatically suspended for a period of sixty (60) days.

Vote: *Unanimous*

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Motion made by Dr. David Whaley, seconded by Ms. Sandy Sinclair-Curry to adjourn the meeting.

Vote: *Unanimous*

Meeting adjourned at 2:05 p.m.

Next Meeting: **August 15, 2016**
 9:00 AM
 EPSB Board Room
 Frankfort, Kentucky

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Consent Item B

Action Item:

University of the Cumberland – Interdisciplinary Early Childhood Education, Birth to Primary (Initial Undergraduate Level)

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.030
16 KAR 5:010; 16 KAR 5:020; 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 approve the following educator preparation program addition?

UNIVERSITY OF THE CUMBERLANDS

1.0 INTERDISCIPLINARY EARLY CHILDHOOD EDUCATION, Birth to Primary (Initial Undergraduate Level)

Background:

The University of the Cumberland has designed a Bachelor’s level preparation program leading to the Interdisciplinary Early Childhood Education, Birth to Primary (IECE) certificate. Its program has developed a continuous, systematic process for assessing candidate development. This process includes three checkpoints at which candidate performances are assessed. The admission requirements identified in the program document align to 16 KAR 5:020. The coursework and experiences are aligned with the early childhood instruction standards identified by NAEYC, the Kentucky IECE standards, and the Kentucky Academic Standards for Early Childhood Education. The program will be delivered online where classes meet synchronously for 90 minutes each week for 8 weeks. The field experiences include the requirements of 16 KAR 5:040.

KRS 161.028 and KRS 161.030 provide for the EPSB to establish curricula for educator preparation programs in Kentucky and approve such programs at institutions of higher education. The Division of Educator Preparation, a Content Area Program Review Committee, and the Reading Committee evaluated the program review document submitted for approval against performance-based program certification guidelines established by the EPSB. This program proposal meets all the requirements set forth by the EPSB. An Executive Summary of the program is included in the program review document.

Groups/Persons Consulted:

Content Area Review Committee
Reading Committee

Potential Actions:

1. Approve the proposed educator preparation program addition.
2. Do not approve the proposed educator preparation program addition.

Recommendation:

Potential Action 1

Rationale:

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

Contact Person:

Dr. Ben Boggs, Director
Division of Educator Preparation
(502) 782-2145
E-mail: Ben.Boggs@ky.gov

Date:

August 15, 2016

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

Action Item:

Campbellsville University – Middle School Grades 5-9: English, Math, Science, Social Studies (Initial Graduate Level – MAT traditional and Option 6)

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.030
16 KAR 5:010; 16 KAR 9:080

Applicable Goal:

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

Issue:

Should the EPSB approve the following educator preparation program additions?

CAMPBELLSVILLE UNIVERSITY

3.0 MIDDLE SCHOOL FOR GRADES 5-9

English	Science
Math	Social Studies

12.0 ALTERNATIVE ROUTE TO CERTIFICATION

Middle School Grades 5-9: English, Math, Science Social Studies

Background:

The Middle School Grades 5-9 traditional and Option 6 programs proposed by Campbellsville University (CU) are designed to reflect a professional learning community. The programs will be delivered in collaboration and partnership with the CU Education and Arts and Science faculty and the area school district personnel. The curriculum is based on needs of the 21st century classrooms and designed around intentional field experiences. There will be systematic mentoring for alternative certification (Option 6) candidates. Traditional route candidates will have opportunities that promote academic excellence which prepares them for lifelong learning in the teaching profession and continued scholarship. Courses will be taught in an online format and through a summer immersion experience on the main campus and at off-site campuses in Louisville and Somerset. The immersion experience includes 12 hours of professional education coursework within a 4-week period. The program is designed for coursework and requirements to be completed in six 8-week terms plus the 4-week summer experience. Candidates will

typically begin either KTIP or student teaching during the second year of the program. Candidates may earn middle grades certification in one of the following areas: English, Math, Science, and Social Studies. The program proposal is the result of needs continually expressed by university personnel, P-12 practitioners, and college graduates desiring to earn teacher certification. A specific need centers on providing opportunities for graduates in the STEM areas to enter the classroom.

KRS 161.028 and KRS 161.030 provide for the EPSB to establish curricula for educator preparation programs in Kentucky and approve such programs at institutions of higher education. The Division of Educator Preparation, a Content Area Program Review Committee, and the Reading Committee evaluated the program review documents submitted for approval against performance-based program certification guidelines established by the EPSB. These program proposals meet all the requirements set out by the EPSB. An Executive Summary of the programs is included.

Groups/Persons Consulted:

Content Area Review Committee
Reading Committee

Potential Actions:

1. Approve the proposed educator preparation program additions.
2. Do not approve the proposed educator preparation program additions.

Recommendation:

Potential Action 1

Rationale:

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

Contact Person:

Dr. Ben Boggs, Director
Division of Educator Preparation
(502) 782-2145
E-mail: Ben.Boggs@ky.gov

Date:

August 15, 2016

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Consent Item D

Action Item:

Board approval for NASDTEC's course *Prevention and Correction: Overview* as training for educators with cases before the EPSB

Applicable Statutes and Regulation:

KRS 161.028, KRS 161.120.

Applicable Goal(s):

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 NASDTEC's course *Prevention and Correction: Overview* as training for educator's with cases before the EPSB?

Background:

Pursuant to its authority under KRS 161.120(1), the EPSB "may impose probationary or supervisory conditions upon...any certificates" issued by the agency. The EPSB has used this authority to require educators, through an Agreed or Final Order, to attend specific training to address the alleged misconduct and prevent any further incidents. The EPSB External Procedure 7: Determining Probable Cause to Take Disciplinary Action, includes a "deferral for training" option which allows an educator the opportunity to complete a recommended training and provide written proof to the Board for a dismissal of his/her case.

NASDTEC is the National Association of State Directors of Teacher Education and Certification. *Prevention and Correction: Overview* is a minimum 4.5 hour online course covering educator ethics, cybertraps for educators, and educator relationships and boundaries. Enclosed under separate cover is the course outline and accompanying PowerPoint.

Potential Actions:

1. Approve NASDTEC's *Prevention and Correction: Overview* as training for educators with cases before the EPSB.
2. Do not approve NASDTEC's *Prevention and Correction: Overview* as training for educators with cases before the EPSB.

Staff Recommendation:

Staff Recommendation 1

Rationale:

Staff has reviewed the course outline and has attended presentations by the developers of NASDTEC's *Prevention and Correction: Overview*. Staff has found that the course will address

Agenda Book

the needs of educators referred to training on ethics, cyber ethics, and educator relationships and boundaries. Having an additional pre-approved course will provide educators with options and assist them in completing training in a timely manner.

Contact Person:

Ms. Cassie Trueblood, Staff Attorney II
Division of Legal Services
502-564-4606
E-mail: Cassie.Trueblood@ky.gov

Date:

August 15, 2016

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE
Consent Item E**

Action Item:

Board approval for ACE Educational Services courses as training for educators with cases before the EPSB

Applicable Statutes and Regulation:

KRS 161.028, KRS 161.120.

Applicable Goal(s):

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 ACE Educational Services courses as training for individuals with cases before the EPSB?

Background:

Pursuant to its authority under KRS 161.120(1), the EPSB “may impose probationary or supervisory conditions upon...any certificates” issued by the agency. The EPSB has used this authority to require educators, through an Agreed or Final Order, to attend specific training to address the alleged misconduct and prevent any further incidents. The EPSB External Procedure 7: Determining Probable Cause to Take Disciplinary Action, includes a “deferral for training” option which allows an educator the opportunity to complete a recommended training and provide written proof to the Board for a dismissal of his/her case.

ACE Educational Services is requesting approval for the following courses:

1. **Professional Code of Ethics for Kentucky School Certified Personnel**
2. **Cultural Sensitivity Training for Kentucky School Certified Personnel**
3. **Confidentiality Training for Kentucky School Certified Personnel**
4. **Classroom Management Training for Kentucky School Certified Personnel**
5. **Fiscal Management Training for Kentucky School Certified Personnel**
6. **Sexual Harassment in the Workforce Training for Kentucky School Certified Personnel**
7. **Anger Management: What it is and how to address it**
8. **Appropriate Student-Teacher Boundaries**
9. **Administration Code for Educational Assessment (Federal and State Testing Policies)**
10. **State and Federal Special Education Training**

Enclosed under separate cover is the curriculum for each of the trainings and the vitae of the trainers.

Potential Actions:

1. Approve all ACE Educational Services' proposed courses as training for educators with cases before the EPSB.
2. Approve some ACE Educational Services' proposed courses as training for educators with cases before the EPSB.
3. Do not approve ACE Educational Services' proposed courses as training for educators with cases before the EPSB.

Staff Recommendation:

Staff Recommendation 1

Rationale:

ACE Educational Services has provided trainings to educators with cases before the EPSB for many years. Staff has reviewed the curriculum for each of the trainings and has found that the courses will address the needs of educators referred to that training. Having ten additional pre-approved courses will provide educators with options and assist them in completing training in a timely manner.

Contact Person:

Ms. Cassie Trueblood, Staff Attorney II
Division of Legal Services
502-564-4606
E-mail: Cassie.Trueblood@ky.gov

Date:

August 15, 2016

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item A

Information Item:

To inform the EPSB about contracts which were signed by the Executive Director since the prior EPSB Board Meeting

Applicable Statutes and Regulation:

KRS 161.028 (1) (v) (d)

KRS 161.017 (3)

Applicable Goal:

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

Background:

KRS 161.028 (1) (v) (d) authorizes the EPSB to enter into contracts and KRS 161.017 (3) stipulates that with Board approval, the Executive Director may enter into agreements "...to enlist assistance to implement the duties and responsibilities of the Board."

Vendor Name	Services	Service Period	Contract Amount
Hannah Satram-Hale	Attorney	7/1/16 – 6/30/18	\$133,680.00
Chelsea Young	Attorney	7/1/16 – 6/30/18	\$155,210.00
Eric Ray	Attorney	7/1/16 – 6/30/18	\$155,210.00
Gess Mattingly & Atchison	Attorney	8/1/16 – 6/30/18	\$54,000.00
Paul Hamann	Investigative Services	7/1/16 – 6/30/18	\$51,522.00
Larry Hammond	Investigative Services	8/1/16 – 6/30/18	\$51,522.00
Eve Proffitt	Project Specialist	7/1/15 – 6/30/18	\$71,000.00
Teachers 21	SEED Grant Services	5/1/16 – 6/30/16	\$24,500.00
Teachers21	SEED Grant Services	8/1/16 – 6/30/17	\$16,200.00
Danville Independent Schools	SEED Grant Services	7/1/16 – 6/30/17	\$123,898.62
UKRF	Consultant Services	7/1/16 – 6/30/18	87,445.44
UK	KTIP	7/1/16 – 6/30/17	\$89,683.00
EKU	KTIP	7/1/16 – 6/30/17	\$74,692.00
NKU	KTIP	7/1/16 – 6/30/17	\$73,114.00
UofL	KTIP	7/1/16 – 6/30/17	\$145,176.00
KSU	KTIP	7/1/16 – 6/30/17	\$29,193.00
WKU	KTIP	7/1/16 – 6/30/17	\$97,047.00
MuSU	KTIP	7/1/16 – 6/30/17	\$62,594.00
MoSU	KTIP	7/1/16 – 6/30/17	\$61,805.00

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Contact Person:

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

Date:

August 15, 2016

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item B

Information/Discussion Item:

A report on the end of year financial performance of the agency's programs and operations through June 30, 2016

Applicable Statutes and Regulation:

KRS 161.017 (1) (c)

Applicable Goal(s):

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. This end of year report of expenditures includes expenses incurred from July 1, 2015, through June 30, 2016.

Contact Person:

Mr. Jimmy Adams, Executive Director
Division of Executive Office
502-564-4606
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Agenda Book

EDUCATION PROFESSIONAL STANDARDS BOARD

STAFF NOTE

Information/Discussion Item C

Information/Discussion Item:

Recency and Certification Fees, Amendment, Notice of Intent

Applicable Statutes and Regulation:

161.028(1)(q) , 16 KAR 4:040

Applicable Goal(s):

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:

161.028(1)(q) states that “The Education Professional Standards Board has the authority and responsibility to: Charge reasonable fees for the issuance, reissuance, and renewal of certificates that are established by administrative regulation. The proceeds shall be used to meet a portion of the costs of the issuance, reissuance, and renewal of certificates, and the costs associated with disciplinary action against a certificate holder under KRS 161.120.”

Certification fees were first established by the Board in January 1997. Fees have not changed since that time. With the passing of the most recent biennium budget, the EPSB was reduced by approximately 9.5%. Additionally, language was included in the budget that stated the EPSB “may use the funds generated from professional school personnel certification fees to support the operations of the Kentucky Teacher Internship Program.”

After careful review of the certification fees and the necessary expenditures to continue to serve the students and education community of the Commonwealth of Kentucky, the following changes to 16 KAR 4:040 with changes in certification fees are presented to the Board for consideration:

- Increase the “Issuance, reissuance, or renewal of a regular certificate” from fifty (50) dollars to eighty-five (85) dollars;
- Increase the “Issuance of a five (5) year substitute certificate” from fifteen (15) dollars to fifty (50) dollars;
- Increase the “Reissuance of limited four (4) year certification” from thirty-five (35) dollars to fifty (50) dollars; and
- Increase the “Issuance of an emergency substitute certificate” from zero (0) dollars to fifteen (15) dollars.

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Additionally, the following change relating to method of payment is presented to the Board for consideration:

- Require that certification fees be paid through an electronic payment rather than certified check or money order.

Contact Person:

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

Date:

August 15, 2016

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1 EDUCATION AND WORKFORCE DEVELOPMENT CABINET

2 Education Professional Standards Board

3 (Amendment)

4 16 KAR 4:040. Recency and certification fees.

5 RELATES TO: KRS 161.020, 161.028, 161.030

6 STATUTORY AUTHORITY: KRS 161.028, 161.030

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020, 161.028, and 161.030

8 require that a teacher and other professional school personnel hold a certificate of legal
9 qualification for his or her respective position to be issued upon completion of a program of
10 preparation prescribed by the Education Professional Standards Board; furthermore, a teacher
11 education institution is required to be approved for offering a preparation program corresponding
12 to a particular certificate on the basis of standards and procedures established by the Education
13 Professional Standards Board. KRS 161.030 establishes additional testing and internship
14 requirements for certification. This administrative regulation establishes requirements for the
15 issuance of the limited initial certificate; the beginning teacher internship program; certificate
16 renewal; and filing a certificate application. This administrative regulation establishes fees to be
17 charged for the issuance, reissuance, and renewal of a certificate.

18 Section 1. (1) Application for teacher certification shall be made to the Division of
19 Certification.

20 (2) The application shall be accompanied by an official transcript showing all college credits
21 necessary for the requested certification.

22 Section 2. Recency. Teacher certification issued initially under the provisions of 16 KAR
23 2:010 or 16 KAR 2:020 shall comply with the provisions of KRS 161.030 and the following

1 requirements and procedures:

2 (1) There shall be a recency of preparation prerequisite for the issuance of a certificate
3 covered by this section, as follows:

4 (a) Except as provided in paragraphs (b) and (c) of this subsection, an out-of-state applicant
5 for initial Kentucky certification shall have prepared as a teacher or completed six (6) semester
6 hours of graduate credit within the five (5) years preceding the application.

7 (b) An out-of-state applicant for initial Kentucky certification who has completed a Planned
8 Fifth-year Program shall be exempt from taking the six (6) additional hours, if the applicant has
9 completed two (2) years of successful teaching experience within the last ten (10) years.

10 (c)1. A certificate shall be issued for a one (1) year period ending June 30 of the next
11 calendar year if the applicant:

12 a. Does not meet the recency of preparation requisite;

13 b. Has not previously held a Kentucky teaching certificate;

14 c. Otherwise qualifies for certification; and

15 d. Agrees that six (6) semester hours of credit applicable toward the usual renewal
16 requirement shall be completed by September 1 of the year of expiration.

17 2. To renew a certificate issued under subparagraph 1 of this paragraph, the applicant shall
18 comply with the requirements for renewal established in subsection (2) of this section.

19 (2)(a) A teaching certificate described in this section shall be issued for a duration period of
20 five (5) years and with provisions for a subsequent five (5) year renewal, as established in 16
21 KAR 7:010.

22 (b) Semester hour credit for certificate renewal shall be earned after the issuance of the
23 certificate. Credit earned in excess of the minimum requirement for a renewal period shall

1 accumulate and be carried forward to apply toward a subsequent renewal.

2 Section 3. (1) Reissuance.

3 (a) If a certificate has lapsed as a result of the applicant's failure to meet the renewal
4 requirements, the certificate shall be reissued at a later date for a one (1) year period if the
5 applicant completes at least six (6) semester hours of graduate credit applicable toward the
6 Planned Fifth-year Program.

7 (b) The applicant shall complete an additional nine (9) semester hours of credit applicable
8 toward the planned fifth-year program by September 1 of the year of expiration to qualify for
9 extending the certificate for the remaining four (4) years of the first five (5) year renewal period.

10 (c) At the end of the renewal period established in paragraph (b) of this subsection, the
11 applicant shall have completed the Planned Fifth-year Program to qualify for the next five (5)
12 year renewal. After the renewal period established in this paragraph, the regular renewal
13 schedule of three (3) years of successful teaching experience with evidence of continuing growth
14 documented in a portfolio as required by 16 KAR 4:060 or six (6) semester hours of additional
15 graduate credit each five (5) year period shall apply.

16 (2) An applicant who has already completed the Planned Fifth-year Program and whose
17 certificate lapses shall have the certificate reissued after completing another six (6) semester
18 hours of graduate credit. The certificate shall be issued for a five (5) year period and subject to
19 the renewal schedule of three (3) years of successful teaching experience or completion by
20 September 1 of the year of expiration of at least six (6) semester hours of additional credit for
21 each five (5) year period.

22 (3) Pursuant to KRS 161.030(3) and (4), successful experience shall be in a position directly
23 corresponding to the type of teaching certificate for which the application is being made and

Agenda Book

1 shall be defined as follows:

2 (a) Employment shall be at least on a half-time basis;

3 (b) A full year of experience shall include at least 140 days of employment performed within
4 the academic year; and

5 (c) A half year of experience shall include at least seventy (70) days of employment
6 performed within an academic semester.

7 Section 4. Fees. (1) The following fees for teaching certificates shall apply:

8 (a) ~~Statement of eligibility for internship—no charge;~~

9 ~~(b) Limited one (1) year certificate—no charge;~~

10 ~~(c)~~ Issuance, reissuance, or renewal of a regular certificate – eighty-five (85) ~~[fifty (50)]~~
11 dollars, which shall include all previously approved certifications and endorsements;

12 ~~(d)~~ Issuance of a five (5) year substitute certificate – fifty (50) ~~[fifteen (15)]~~ dollars;

13 ~~(e)~~ Reissuance of limited four (4) year certification – fifty (50) ~~[thirty-five (35)]~~ dollars;

14 ~~(f)~~ Issuance of a duplicate copy of the certificate - twenty-five (25) dollars.

15 (e) Issuance of an emergency certificate – fifteen (15) dollars.

16 (2) All fees paid to the Education Professional Standards Board shall be nonrefundable. [A
17 refund of the certification fee shall be provided to an unsuccessful certification applicant, less a
18 ten (10) dollar processing fee.]

19 (3) The appropriate fee shall:

20 (a) Accompany the application; and

21 (b) Be paid through electronic payment to the Education Professional Standards Board

22 ~~[received in the form of a certified check or money order made payable to the Kentucky State~~
23 ~~Treasurer].~~

1 (4) The fee for any rejected electronic payment shall be twenty-five (25) dollars.

2

DRAFT

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information Item D

Information Item:

Amend current Board Meeting Policy

Applicable Statutes and Regulation:

KRS 61.820, KRS 161.028

Applicable Goal(s):

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 Board amend its Board Meeting Policy?

Background:

The Education Professional Standards Board (EPSB) began creating and compiling policies to fill in “in-house” procedural blanks of applicable statutes and administrative regulations and to ensure consistent Board action. The Board first approved the Board Meeting Policy on March 5, 2012. The Board subsequently amended that Board Meeting Policy on June 23, 2014.

The current Board Meeting Policy provides that the EPSB shall meet the second Monday of February, April, June, August, October, and December and that the meeting shall commence at 9:00 a.m. The EPSB should consider rescheduling the June and August Board meetings to maximize attendance by EPSB Board members and staff. The EPSB should also consider changing the start time from 9:00 a.m. to 10 a.m.

Current Policy	Proposed Change	Justification for Proposed Change
Second Monday of June	Third Monday of June	The National Association of State Directors of Teacher Education and Certification (NASDTEC) conducts an annual meeting each year during the second week of June. EPSB staff requests that the June Board meeting date be changed so that EPSB leadership may attend this meeting.
Second Monday of August	Third Monday of August	Opening day for Kentucky school districts is typically during the second week of August. Because many of the EPSB Board members work in Kentucky school districts, EPSB Board members may find it difficult to attend a board meeting during the second week of August.

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		To maximize attendance, the Board should consider rescheduling this Board meeting.
9:00 a.m. start time	10 a.m. start time	By starting the board meeting one hour later, it will allow Board members the time necessary to travel to and from the meeting on the same day. It will eliminate the need for Board members to be lodged at a hotel the night before the board meeting and will reduce agency expenses.

The amended meeting policy also includes additional language that reflects current board practice.

Contact Person:

Ms. Lisa Lang, General Counsel
Division of Executive Office
502-564-4606
E-mail: Lisa.Lang@ky.gov

Date:

August 15, 2016

Education Professional Standards Board

POLICY
BOARD MEETINGS –

APPROVED _____

- I. The Education Professional Standards Board (EPSP) shall meet on the second Monday of each month except for the months of June and August. **In June and August, the EPSB shall meet on the third Monday of the month.**
- II. **A Chair shall be elected by and from the membership. A Board member shall be eligible to serve as Chair no more than three (3) one (1) year terms. KRS 161.028(2)(f).**
- III. **Special meetings may be called by the Chair or by the majority of the members of the EPSB pursuant to KRS 61.823. The business transacted at special meetings shall be specified in the notice of the meeting.**
- IV. **All meetings are to be held beginning at 10:00 a.m. Eastern Time zone at 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601 unless otherwise specified by a majority vote of the EPSB.**
- A. **The meetings of the EPSB shall be open to the public.**
1. **The EPSB and its committees shall operate in compliance with the provisions of the Open Meetings Law. (KRS 61.800-KRS 61.850)**
2. **The most recent version of Robert's Rules of Order shall be observed in conducting the business of the EPSB except as these may be modified by regulations adopted by the Board members.**
- B. **A majority of the voting members of the EPSB (excluding vacant positions) constitutes a quorum. Any meeting of the EPSB, if a quorum is not present, may be adjourned by the members attending to a time when a quorum shall be present.**
- V. For regularly scheduled meetings, the agenda shall be released to the general public at least ~~five (5)~~ three (3) full business days prior to the Board meeting. “Business day” means Monday through Friday, excluding official state holidays.
- VI. The Executive Director and EPSB staff **shall make every effort** to ensure that the agenda book and all relevant supporting materials are made electronically available to the Board ten (10) days prior to the meeting date.

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- A. In an effort to ensure effective and efficient processing of **Board** actions relating to certification, the EPSB staff may supply Board members with additional review materials electronically four (4) **calendar** days prior to the meeting date. Additional materials may be available to the Board on the day of the **Board** meeting at the discretion of the Executive Director.
- B. All meeting materials are available to the Board electronically. ~~A board member who wishes to receive all or part of the meeting materials in a paper format shall make a written request to the executive director.~~
- C. Board members are responsible for maintaining the confidentiality of the materials provided to them.
- VII. A Board member who does not have access to a home computer may request the use of an agency lap top for use to prepare for **Board** meetings. If a Board member uses an agency lap top, the Board member shall be subject to the agency's Acceptable Use Policy.
- VIII. The EPSB staff will arrange for the preparation of meeting minutes that set forth an accurate record of votes and actions at such meetings. EPSB staff will ensure that the meeting minutes are promptly recorded and posted to the EPSB website at reasonable times no later than immediately following the next regular meeting of the EPSB. (KRS 61.835)
- IX. All necessary expenses incurred by the Board members in traveling to and from and while attending meetings of the EPSB are designated to be paid out of the funds of the EPSB. (200 KAR 2:006(8)(1)(h))
- VIII. The order of business at EPSB meetings normally is as follows:
- Call to Order
 - Roll Call
 - Approval of Meeting Agenda
 - Open Speak
 - Approval of Consent Items
 - Report of the Executive Director
 - Report of the Chair
 - Information/Discussion Items
 - Action Items
 - Certification Review and Revocation: Pending Litigation Review
 - Adjournment

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item A

Action Item:

Executive Director Evaluation Policy and Revised Executive Director Evaluation Procedure

Applicable Statutes and Regulation:

KRS 161.028(1)(n)

Applicable Goal(s):

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 Board create a policy relating to the evaluation of the Executive Director and/or amend the current procedure relating to the evaluation of the Executive Director?

Background:

The Board currently only has an Executive Director Evaluation Procedure. The current Executive Director Evaluation Procedure has not been updated since 2004. When the Board hired its current Executive Director, the Board decided to add a mid-year evaluation. The proposed policy and amended procedure have been drafted to clarify and update the current evaluation process. This item was brought before the Board at the June 2016 meeting as an information item. This item is being brought back before the Board for final approval. To the extent there are any changes to the draft policy and procedure, the changes are minor and have been bolded.

Groups/Persons Consulted:

N/A

Potential Actions:

1. Approve the Executive Director Evaluation Policy and Revised Executive Director Evaluation Procedure.
2. Do not approve the Executive Director Evaluation Policy and Revised Executive Director Evaluation Procedure.
3. Modify the Executive Director Evaluation Policy and Revised Executive Director Evaluation Procedure.

Staff Recommendation:

Staff Recommendation 1

Agenda Book

Rationale:

The proposed Executive Director Evaluation Policy and Revised Executive Director Evaluation Procedure have been drafted to clarify and update the current evaluation process.

Contact Person:

Ms. Lisa Lang, General Counsel
Division of Executive Office
502-564-4606
E-mail: Lisa.Lang@ky.gov

Date:

August 15, 2016

Education Professional Standards Board

**POLICY RELATING TO THE EVALUATION OF
THE EXECUTIVE DIRECTOR**

APPROVED _____

- I. The Education Professional Standards Board (EPSB) has the authority and the responsibility to recruit, select, employ, and evaluate an Executive Director pursuant to KRS 161.028.
- II. The purpose of the Executive Director Evaluation is to ensure that the EPSB provides the Executive Director with sufficient direction to ensure that the Executive Director is able to support the mission of the EPSB and met EPSB goals through the Executive Director's management of the day to day operations of the board pursuant to KRS 161.017.
- III. Policy Governing Procedures relating to the Executive Director Evaluation will include specifically detailed occurrences that are guided by a specific timeline.
 - A. The EPSB's written evaluation procedures will be designed to:
 1. evaluate the progress of the Executive Director as it relates to the execution and implementation of the EPSB's goals and strategic plan;
 2. evaluate the Executive Director's professional contributions and performance as a leader and as a manager; and
 3. provide the Executive Director with feedback to improve performance.
 - B. The Mid-Year Evaluation is prepared to provide the Executive Director with the ongoing feedback required for effective supervisor/employee relations between the EPSB and the Executive Director.
 - C. The Annual Evaluation is the last phase of the ongoing performance management and assessment process and will serve to:
 1. maintain a formal evaluation of performance over a specified period of time based on expectations identified by the EPSB and shared with the employee;
 2. provide feedback to the Executive Director and assist the Executive Director in planning for the next performance period; and
 3. model a continuous assessment system that will not replace continuing feedback and communications to the Executive Director regarding job performance.

Education Professional Standards Board

**PROCEDURE RELATING TO THE EVALUATION OF
THE EXECUTIVE DIRECTOR**

Approved _____

IV. Mid-Year Evaluation and Annual Evaluation

The Education Professional Standards Board (EPSB) shall provide the Executive Director with a preliminary evaluation (Mid-Year Evaluation) and a final evaluation (Annual Evaluation) for each designated evaluation year for that Executive Director.

V. Evaluation Committee

The EPSB shall form an Evaluation Committee. The Evaluation Committee will consist of three board members.

- A. The elected chair of the Evaluation Committee will inform EPSB Executive Staff of the results of this election. Prior to the first meeting of the Evaluation Committee, EPSB Executive Staff will provide the Evaluation Committee with a copy of the procedures and the evaluation instrument. The Board General Counsel and the EPSB Executive Committee will attend this first meeting to brief members on their charge and the expectations for the analysis and subsequent report, and to answer questions.
- B. The Vice Board Chair will call the first meeting of the Evaluation Committee Meeting to order and the Evaluation Committee will elect a committee chair.

VI. Preliminary Evaluation (Mid-Year Evaluation)

A. Evaluation Forms

i. Executive Director Accomplishments

Before the designated evaluation year begins, the Executive Director will provide to the Chair of the Evaluation Committee a narrative listing and describing accomplishments since the last evaluation, and documents to support these accomplishments. It shall also include any other supporting documents that the Executive Director wishes to provide.

ii. Executive Director Job Description and Evaluation Form

The EPSB Executive Staff shall provide the Evaluation Committee with the Executive Director's current job description and a copy of the Evaluation Form.

B. Notification, Distribution and Access to Evaluation Forms

i. Notification

The EPSB Executive Staff shall provide each EPSB Board member notification, via email, that the evaluation process for the mid-year evaluation is beginning.

1. The EPSB Executive Staff will attach to the notification e-mail a current job description of the Executive Director and the summary of the Executive Director's accomplishments prepared by the Executive Director.
2. The EPSB Executive Staff shall explain in the notification e-mail about the online process and provide a URL necessary for all Board members to access in order to complete the evaluation anonymously.

ii. Access

Only Board members will be given access to the online evaluation.

C. Guidelines for Completion of the Evaluation

- i. ALL PARTS OF THE EVALUATION WILL BE ANONYMOUS.
- ii. The Executive Staff for EPSB will contact all Board members and provide them with the URL for completing the Evaluation Form.
- iii. From the date of the distribution, Board members will have two weeks (14 calendar days) to complete the evaluation. Up to three rounds of emails will be sent to Board Members within this two-week period requesting the return of the evaluation instruments.
- iv. The EPSB staff will assemble and process the evaluations and the written comments provided in the results of the evaluation to the Evaluation Committee within seven (7) days of the return of the evaluations.

D. Guidelines for Gathering Returned Mid-Year Evaluation Forms

- i. In order to make evident which responses are those of a single evaluator, comments from all sections of the Evaluation submitted by an individual respondent will be presented in unison.
- ii. Because the survey is anonymous, respondents will be assigned numbers only for organization purposes (e.g., respondent 1, respondent 2).
- iii. These numbers cannot be linked to individual identities. A PDF file will be created for the electronic dissemination of survey comments to members of the Evaluation Committee.

E. Guidelines for Reviewing Returned Mid-Year Evaluation Forms

- i. The Evaluation Committee will meet and review the completed evaluation forms and prepare the Mid-Year Evaluation Report (a preliminary report) for the review and consideration of the full Board.
- ii. All electronic and hard-copy reports will be given to the EPSB Executive Staff.
- iii. The EPSB Executive Staff will retain all raw data files in accordance with its record retention policy.

F. Creation of Mid-Year Evaluation Report

- i. Using the response items and a comprehensive summary of the written comments, including direct quotations, the Mid-Year Evaluation Report should provide the overall findings, proposed performance goals for the Executive Director, and recommendations.
- ii. Upon conclusion of the review, the Chair of the Evaluation Committee will provide the Executive Director with the Mid-Year Evaluation Report of no more than eight single-spaced pages in length.
- iii. On the same day, the Chair of the Evaluation Committee will give a copy of the Mid-Year Evaluation Report and the organized written comments to the Board Chair and the EPSB Executive Staff.

VII. Final Evaluation (Annual Evaluation)

- A. The Executive Director shall provide the Evaluation Committee with a follow-up response to the Mid-Year Evaluation. The follow-up response should include specific actions taken for each area of concern and performance goal identified in the preliminary Mid-Year Evaluation Report.
- B. The Chair of the Evaluation Committee shall provide the Mid-Year Evaluation Report and the Executive Director's Follow-Up Report to the Board Chair. The Board Chair, in turn, shall work with the EPSB's Executive Staff to disseminate those documents to the full Board.
- C. Using those documents, the full Board shall discuss and adopt a Final Evaluation Report in an open meeting.
- D. The Final Evaluation Report shall be posted to the EPSB website.

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EDUCATION PROFESSIONAL STANDARDS BOARD

STAFF NOTE

Action Item B

Action Item

Notice of Intent to Amend 16 KAR 7:010, Kentucky Teacher Internship Program

Applicable Statutes and Regulation

KRS 156.101, 161.028, 161.030, 161.048, 161.095
16 KAR 7:010

Applicable Goal

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

Goal 4: Every credentialed educator participates in a high quality induction into the profession and approved educational advancement programs that support effectiveness in helping all students achieve.

Issue

Should the Education Professional Standards Board (EPSB) approve the redesigned KTIP that is aligned with the Kentucky Framework for Teaching?

Background

16 KAR 7:010 addresses the requirements for the Kentucky Teacher Internship Program (KTIP). The Kentucky Advisory Council for Internships (KACI), at the direction of the Board, has redesigned KTIP to align with the Kentucky Framework for Teaching and to meet the requirements of PGES (Professional Growth and Effectiveness System). The new program was piloted in 21 districts over the 2014-15 school year, and feedback was collected to clarify the process and sources of evidence. All districts used the revised KTIP over the 2015-16 school year through a waiver of 16 KAR 7:010 granted by the Board. Again, feedback was collected and further refinement of KTIP took place. The proposed changes to 16 KAR 7:010 reflect the KTIP recommended by KACI. Technical clarifications have been made to the regulation since it was presented to the Board as an information item.

Potential Actions

1. Approve the KTIP recommended by KACI.
2. Do not approve the KTIP recommended by KACI.

Staff Recommendation

Potential Action 1

Contact Person

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

Date:

August 15, 2016

1 EDUCATION AND WORKFORCE DEVELOPMENT CABINET

2 Education Professional Standards Board

3 (Amendment)

4 16 KAR 7:010. Kentucky Teacher Internship Program.

5 RELATES TO: KRS 156.101, 161.028, 161.030, 161.048, 161.095

6 STATUTORY AUTHORITY: KRS 161.028(1)(a), 161.030

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.030(5) requires that all new
8 teachers and out-of-state teachers with less than two (2) years of successful teaching experience
9 who are seeking initial certification in Kentucky shall serve a one (1) year internship. This
10 administrative regulation establishes the requirements for the Kentucky Teacher Internship
11 Program.

12 Section 1. Definitions. (1) [~~"Confirmation of Employment" means the electronic document or~~
13 ~~a hardcopy of the same name that is submitted to the Education Professional Standards Board by~~
14 ~~the employing school district or nonpublic school to document employment of a teacher intern.~~

15 (2) "Half-time basis" means teaching fifteen (15) hours per week in the teacher intern's area
16 of certification.

17 (2)[(3)] "Instructional day" means a day that:

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1 (a) The teacher intern is performing regular teaching responsibilities in an instructional
2 setting, or is completing professional development for compensation from the district or
3 employing school; and

4 (b) Does not include annual leave, sick leave, or other authorized or unauthorized leave time.

5 (3) "Resource Teacher" means the classroom teacher that serves on a beginning teacher
6 committee.

7 ~~(4) ["Resource Teacher Time Sheet" means the electronic document or a hardcopy of the~~
8 ~~same name that is submitted to the Education Professional Standards Board and is used by~~
9 ~~resource teachers to record in-class hours and, for compensation, resource teacher out of class~~
10 ~~hours.~~

11 ~~5)] "Teacher intern" means any new teacher or out-of-state teacher with less than two (2)~~
12 ~~years of successful teaching experience, preschool through grade twelve (12), who has obtained~~
13 ~~a provisional certificate and is seeking initial certification in Kentucky.~~

14 (5) "Teaching standards" means the teaching standards set forth in 16 KAR 1:010.

15 Section 2. Basis for Professional Judgment by the Beginning Teacher Committee. (1) A
16 teacher intern and the beginning teacher committee shall follow the requirements established in
17 this administrative regulation.

18 ~~(a)1. The teacher intern shall successfully complete a KTIP Teacher Performance~~
19 ~~Assessment.~~

20 ~~2. The assessment shall be organized according to three cycles of the internship year and~~
21 ~~shall be a set of twelve (12) teaching tasks designed to provide interns the opportunity to~~
22 ~~demonstrate performance of the Kentucky Teacher standards established by the Education~~
23 ~~Professional Standards Board in 16 KAR 1:010.~~

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1 ~~[(b) The twelve (12) teaching tasks shall be grouped into three (3) components as follows:~~

2 ~~1. Component I: Classroom Teaching, which shall include:~~

3 ~~a. Task A 1: Teaching and Learning Context;~~

4 ~~b. Task A 2: Lesson Plan;~~

5 ~~c. Task B: Classroom Observation; and~~

6 ~~d. Task C: Lesson Analysis and Reflection;~~

7 ~~2. Component II: Professional Responsibilities, which shall include:~~

8 ~~a. Task D: Collaborate to Address Special Learning Needs;~~

9 ~~b. Task E: Assess and Manage Professional Growth; and~~

10 ~~c. Task F: Leadership; and~~

11 ~~3. Component III: Instructional Unit, which shall include:~~

12 ~~a. Task G: Designing the Instructional Unit;~~

13 ~~b. Task H: The Assessment Plan;~~

14 ~~c. Task I: Designing Instructional Strategies and Activities;~~

15 ~~d. Task J 1: Organizing and Analyzing the Results Reflecting on the Impact of Instruction;~~

16 ~~and~~

17 ~~e. Task J 2: Communication and Follow-Up.]~~

18 (2) ~~[In arriving at its professional judgment, the beginning teacher committee shall utilize the~~
19 ~~scoring rubrics contained within the KTIP Intern Performance Record, and take into~~
20 ~~consideration the progress of the teacher intern throughout the school year and, particularly, the~~
21 ~~level of performance that has been achieved near the end of the internship.]~~ The beginning
22 teacher committee shall determine the progress and improvement of the teacher intern, pursuant
23 to KRS 161.030, by:

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1 (a) A systematic observation of classroom performance;

2 (b) An ongoing review of documented evidence developed by the teacher intern of progress
3 toward demonstration of the applicable teaching standards; and

4 (c) A review of the teacher intern's response to the suggestions and recommendations made
5 by the beginning teacher committee during its meetings with the teacher intern throughout the
6 internship.

7 (3) Throughout the internship, the teacher intern and the beginning teacher committee shall
8 utilize the teaching standards [~~Kentucky teacher standards~~] established by the Education
9 Professional Standards Board in 16 KAR 1:010. [~~Teacher Interns and their committees shall use~~
10 ~~the indicators for each standard as outlined in the KTIP Intern Performance Record.~~]

11 (4) The assessment shall be organized according to three cycles of the internship designed to
12 provide teacher interns the opportunity to demonstrate performance of the teaching standards
13 established by the Education Professional Standards Board in 16 KAR 1:010.

14 Section 3. Beginning Teacher Committee Membership Appointment. (1)(a) Each beginning
15 teacher committee shall be composed of three (3) persons who have been appointed pursuant to
16 KRS 161.030(6).

17 (b) School districts shall maintain a pool of resource teachers and principals who have
18 successfully completed the beginning teacher committee [~~Kentucky Teacher Internship Program~~
19 ~~Committee~~] training in order to assure eligibility for appointment to beginning teacher
20 committees.

21 (c)[(b)] The beginning teacher committee [~~Kentucky Teacher Internship Program~~
22 ~~Committee~~] training may be approved for up to six (hours) [~~twelve (12) hours~~] of professional
23 development credit [~~toward the continuing education requirements~~] for resource teachers

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1 ~~[pursuant to KRS 161.095]~~ and Effective Instructional Leadership Act (EILA) credit for
2 administrators pursuant to KRS 156.101.

3 (2) The employing school district shall recommend principals and resource teachers for
4 appointments by the Education Professional Standards Board to beginning teacher committees.

5 (3) If the teacher intern is teaching at a nationally or regionally accredited nonpublic school
6 without a principal, the accrediting organization's guidelines for designating the school head or
7 school leader shall be used by the employing school in making the recommendation for
8 appointment of the principal member. If no guidelines exist, the school shall provide a written
9 rationale for the appointment to the Education Professional Standards Board for approval.

10 (4) Representatives of the teacher training institutions shall consult the Education
11 Professional Standards Board with respect to the school districts and the geographical area to be
12 served by teacher educator members on beginning teacher committees. All teacher educators
13 shall have completed the beginning teacher committee ~~[Kentucky Teacher Internship Program~~
14 ~~Committee]~~ training in order to assure eligibility for appointment to beginning teacher
15 committees.

16 (5) The teacher training institution shall appoint a teacher educator no later than thirty (30)
17 calendar days after being notified by the district or nonpublic school of the need for a teacher
18 educator. ~~[If the teacher intern is employed after the date required to confirm employment submit~~
19 ~~the Confirmation of Employment in accordance with Section 4(3)(a) of this administrative~~
20 ~~regulation, the teacher training institution shall appoint a teacher educator no later than ten (10)~~
21 ~~calendar days after being notified by the district or nonpublic school of the need for a teacher~~
22 ~~educator.]~~

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1 (6) If the superintendent or designated nonpublic school head or leader determines that a
2 teacher educator is unsuitable for appointment, the superintendent or designated nonpublic
3 school head or leader shall submit a written request for removal to the Education Professional
4 Standards Board. The request shall contain the following:

5 (a) The facts and circumstances that form the basis for removal for cause; and

6 (b) The name of a qualified replacement submitted after consultation with the principal of the
7 employing school and the Kentucky Teacher Internship Program university and district
8 coordinators for that school district.

9 ~~[(7) The Education Professional Standards Board shall send written notification to the home~~
10 ~~address it has on file for the teacher intern, the beginning teacher committee, the superintendent~~
11 ~~or designated nonpublic school head or leader, and the teacher training institution of its decision~~
12 ~~regarding the request for removal.]~~

13 Section 4. Requirements for Time in the Internship and Classroom Assignment. (1) The one
14 (1) year internship shall be completed during one (1) of the following:

15 (a) No less than 140 instructional days of employment in a certified position in the teacher
16 intern's area of certification for which the teacher intern receives compensation during one (1)
17 school year; or

18 (b) Two (2) semesters totaling at least 140 instructional days of employment in a certified
19 position in the teacher intern's area of certification for which the teacher intern receives
20 compensation in two (2) consecutive school years.

21 (2) The internship shall be established for each teacher intern whose initial employment
22 begins at any time during the school term except if the date of employment does not allow for
23 completion of at least seventy (70) instructional days of employment during the school year.

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1 (a) If the period of employment is less than seventy (70) instructional days in a school year,
2 the local school district shall declare an emergency as provided in KRS 161.100, authorizing the
3 superintendent to request an emergency teaching certificate.

4 (b) The employing school district shall be responsible for providing assistance and
5 supervision to the new teacher during the period of employment under an emergency certificate.

6 (3)(a) The school district or nonpublic school shall ~~[complete and]~~ submit to the Education
7 Professional Standards Board a confirmation of employment ~~[- the Confirmation of Employment~~
8 ~~in electronic form or in hard copy if the electronic submission system is unavailable:~~

9 ~~1.] within thirty (30) calendar days from the teacher intern's first instructional day ~~[the date~~
10 ~~of hire or on or before October 15, whichever occurs first, for a teacher intern participating in the~~
11 ~~internship for the fall semester or full year; or~~~~

12 ~~2. Within thirty (30) calendar days from the teacher intern's first instructional day the date of~~
13 ~~hire or on or before February 15, whichever comes first, for a teacher intern participating in the~~
14 ~~internship for the spring semester.]~~

15 (b) ~~[If the teacher intern begins employment after the dates established by for submission of~~
16 ~~the confirmation of employment in paragraph (a) of this subsection, the school district or~~
17 ~~employing school shall confirm employment submit the Confirmation of Employment in~~
18 ~~electronic form or in hard copy if the electronic submission system is unavailable within ten (10)~~
19 ~~calendar days of the date of hire.]~~ A one (1) year internship certificate shall be issued in
20 accordance with the provisions of 16 KAR 2:010 and 16 KAR 4:050.

21 (c) If the district or employing school fails to report verification of enrollment in the
22 internship by the applicable timelines ~~[date]~~ established in paragraph (a) or (b) of this subsection,
23 and there is insufficient time remaining for the teacher intern to complete the number of days

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1 required under subsection (1) of this section, the district or employing school shall declare an
2 emergency as provided in KRS 161.100, and the teacher intern shall enroll in the internship in
3 the next semester of employment when at least seventy (70) instructional days are available.

4 (d) Failure to confirm employment [~~submit the completed Confirmation of Employment~~] or
5 declare an emergency in accordance with paragraph (a), (b), or (c) of this subsection shall:

- 6 1. Be a violation of KRS 161.020; and
- 7 2. Result in the number of days the teacher intern taught without a valid certificate being
8 included in the out of field report submitted to the Commissioner of the Department of Education
9 in accordance with KRS 161.1221.

10 (4) A teacher intern may participate in the internship if the intern is teaching in the intern's
11 area of certification on at least a half-time basis. A school district or nonpublic school offering
12 employment to a new teacher for part-time services which do not conform to the definition of
13 half-time basis shall request a waiver from the Education Professional Standards Board staff for
14 the new teacher to participate in the Kentucky Teacher Internship Program. The waiver request
15 shall detail how the part-time employment offered by the district or nonpublic school is
16 commensurate with the half-time basis requirement of this administrative regulation.

17 (5)(a) Termination or resignation of the internship shall be prohibited unless a written
18 resignation detailing the facts surrounding the resignation is received and approved by:

- 19 1. The superintendent or designated nonpublic school head or leader; and
- 20 2. The Education Professional Standards Board staff.

21 (b) A teacher intern who terminates or resigns the internship without the approval of the
22 Education Professional Standards Board staff shall be recorded as unsuccessfully completing the
23 internship for that school year.

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1 (6) The internship shall be established in a classroom which corresponds to the certificate of
2 the teacher intern. An internship shall not be established in a classroom designated as an
3 alternative school, classroom or program unless the district superintendent or designated
4 nonpublic school head or leader submits a written request for a waiver to the staff of the
5 Education Professional Standards Board. The request shall include the following:

- 6 (a) The type of students that attend the alternative school, classroom or program;
- 7 (b) The student selection and placement process;
- 8 (c) The level of support for students and faculty provided by the district or nonpublic school;
- 9 (d) The degree of administrative support within the school, classroom, or program;
- 10 (e) The location and facility that houses the school, classroom, or program;
- 11 (f) The instructional resources available to the faculty;
- 12 (g) The curriculum used by the school, classroom, or program;
- 13 (h) The manner in which the school, classroom, or program collaborates with other schools
14 within the district;
- 15 (i) The current faculty and staff positions assigned to the school, classroom, or program;
- 16 (j) A brief description of how a teacher intern placed in the alternative school, classroom, or
17 program could demonstrate that the teacher intern has met all of the applicable standards;
- 18 (k) Contact information for an individual who could provide additional information about the
19 request; and
- 20 (l) A signed affidavit by the superintendent, the superintendent's designee, or the designated
21 nonpublic school head or leader confirming the information.

22 (7) The Education Professional Standards Board staff shall grant the waiver if there is a
23 determination that the request and accompanying documentation sufficiently demonstrate that:

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1 (a) The level of support and services provided to the teacher intern assigned to an alternative
2 school, classroom, or program is equivalent to that provided to a teacher intern placed in a
3 nonalternative setting; and

4 (b) The teacher intern assigned to the alternative school, classroom, or program shall be
5 provided the opportunity to successfully demonstrate all teaching standards. [~~Kentucky Teacher~~
6 ~~Standards.~~]

7 (8) If the waiver is granted, it shall remain in effect for the duration of the internship.

8 Section 5. Designation and Duties of Chair; Responsibilities of Resource Teacher, Teacher
9 Intern, and Teacher Educator; Requirements for Timing and Content of Beginning Teacher
10 Committee Meetings. (1) The principal member of the three (3) person beginning teacher
11 committee shall serve as chair and shall be responsible for convening the committee and
12 coordinating its efforts [~~by scheduling observations and committee meetings~~]. The chair shall be
13 responsible for the timely submission of all documents and reports of the beginning teacher
14 committee to the Education Professional Standards Board as required by this administrative
15 regulation. [~~All documents and reports shall be submitted through the electronic reporting~~
16 ~~system, or by hard copy if the electronic reporting system is unavailable.~~] In addition, the chair
17 shall:

18 (a)1. Make three (3) official observation visits to the teacher intern's classroom with each
19 observation lasting one (1) hour in duration or one (1) class period; or

20 2. Make two (2) one (1) hour or one (1) class period observation visits followed by an
21 observation of the teacher intern's one (1) hour or one (1) class period videotaped classroom
22 lesson;

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1 (b) Conduct a lesson plan review prior to each of the three (3) observations and a post-
2 observation [~~postobservation~~] conference after each observation;

3 (c) Report progress observed and concerns to the committee at the scheduled committee
4 meetings;

5 (d) Track and verify [~~Monitor~~] the time that the resource teacher spends with the teacher
6 intern both in and out of class [~~and sign the electronic version of the resource teacher time sheets~~
7 ~~or the hard copy of the resource teacher time sheets if the electronic reporting system is~~
8 ~~unavailable~~]; and

9 (e) Ensure that all program policies and procedures are followed.

10 (2) The resource teacher shall be a mentor to the teacher intern and assess the teacher intern's
11 progress in the internship.

12 (a) The resource teacher, [~~upon completion of Kentucky Teacher Internship Program~~
13 ~~Committee Training and,~~] upon appointment, shall begin to assist the teacher intern.

14 (b) The resource teacher shall spend the required amount of hours working with the teacher
15 intern in the classroom setting as specified in KRS 161.030(7).

16 1. As a portion of the hours, the resource teacher shall conduct:

17 a. Three (3) official observations with each observation lasting one (1) hour in duration or
18 one (1) class period; or

19 b. Two (2) observations lasting one (1) hour in duration or one (1) class period followed by
20 an observation of the teacher intern's one (1) hour or one (1) class period videotaped classroom
21 lesson.

22 2. The observations shall be preceded by [~~a preobservation conference and~~] lesson plan
23 review and shall be concluded with a post-observation [~~post-observation~~] conference.

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1 (c) Pursuant to the resource teacher requirements established in KRS 161.030(7), a resource
2 teacher shall complete out-of-class time identified in KRS 161.030 in consultation with the
3 teacher intern to:

4 1. Assist the teacher intern in the development of the professional growth plan;

5 2. Assist the teacher intern in areas identified in the professional growth plan;

6 3. Assist the teacher intern with instructional activities such as planning, management
7 techniques, assessment, and parent conferences;

8 4. Assist the teacher intern in arranging to attend seminars, conferences, or lectures offering
9 educational assistance commensurate with the teacher intern's professional growth plan;

10 5. Continually assess the teacher intern's progress in the internship in relation to each of the
11 applicable teaching [~~Kentucky Teacher~~] standards;

12 6. Provide the opportunity for the teacher intern to receive mentoring in a collaborative
13 setting if the collaboration meets the needs of the teacher intern as defined in the professional
14 growth plan. Mentoring in a collaborative setting shall be documented [~~on the Resource Teacher~~
15 ~~Time Sheet; and~~

16 7. ~~Enter and submit data into the online Resource Teacher Time Sheet or the hard copy of~~
17 ~~that document if the electronic reporting system is unavailable].~~

18 (d) The resource teacher shall divide the consultation time required in paragraphs (b) and (c)
19 of this subsection into appropriate increments that provide support for the teacher intern
20 throughout the internship. The resource teacher shall not spend this required consultation time
21 with the teacher intern at required in-school or district-wide meetings, or any other activity for
22 which the resource teacher receives compensation from the district or employing school, to
23 include a professional development activity.

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1 (3) The teacher intern shall:

2 (a) Complete all requirements of the Kentucky Teacher Internship Program as established in
3 KRS 161.030 and this administrative regulation, including compliance with the applicable
4 teaching standards [~~Kentucky Teacher Standards~~];

5 (b) Attend the orientation, [~~pre-observation, and~~] post-observation conferences with
6 individual committee members, and all beginning teacher committee meetings;

7 (c) Participate with the resource teacher in consultation time to be spent outside of an
8 instructional setting in the amount of time specified in KRS 161.030;

9 (d) Cooperate with the resource teacher in completing the instructional observations;

10 (e) Complete a professional growth plan [~~(PGP)~~];

11 (f) Prepare for three (3) official one (1) hour observations by each committee member during
12 the internship, including submitting a written lesson plan to the observer in a timely fashion prior
13 to each visit. Each observation shall be one (1) hour in duration or one (1) class period;

14 (g) Develop documentary evidence of progress toward demonstration of the applicable
15 standards for presentation and review at committee meetings; and

16 (h) Review all [~~electronic~~] documents completed by the beginning teacher committee and
17 affix [~~an electronic~~] signature if required. [~~If the electronic version of a document is unavailable~~
18 ~~through the electronic reporting system, the teacher intern shall review and sign a hard copy~~
19 ~~version of the document.~~]

20 (4) The teacher educator shall:

21 (a)1. Make three (3) official observations of the teacher intern with each observation lasting
22 one (1) hour in duration or one (1) class period; or

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1 2. Make two (2) observations of one (1) hour in duration or one (1) class period, followed by
2 an observation of the teacher intern's one (1) hour or one (1) class period videotaped classroom
3 lesson;

4 (b) Conduct a lesson plan review prior to each of the three (3) observations and a post-
5 observation [~~postobservation~~] conference after each observation; and

6 (c) Report progress observed and concerns to the committee at the scheduled committee
7 meetings.

8 (5) Observations and committee meetings shall be scheduled in accordance with the
9 following:

10 (a) The orientation meeting shall be held prior to the conduct of any formal classroom
11 observations of the teacher intern;

12 (b) The classroom observations by all committee members shall occur prior to the
13 corresponding committee meeting;

14 (c) The Cycle 1 classroom observations and committee meeting [~~during and second~~
15 ~~committee meeting~~] shall be held between one (1) and sixty (60) instructional days following the
16 orientation meeting;

17 (d) The Cycle 2 classroom observations and committee meeting [~~and third committee~~
18 ~~meeting~~] shall be held between sixty-one (61) and 110 instructional days following the
19 orientation meeting; and

20 (e) The Cycle 3 taping and reviews of the video or classroom observations and committee
21 meeting shall be held between 111 instructional days after the orientation meeting and by the
22 closing day of the school year [~~and fourth committee meeting between 111 and 140 instructional~~
23 ~~days following the orientation meeting~~].

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1 (6) Committees formed during the spring semester shall establish a meeting schedule that
2 observes the time sequences established in subsection (5) of this section for the full-year teacher
3 interns but which shall span the spring and fall semesters of two (2) consecutive school years.

4 (7)(a) Classroom observations conducted by committee members shall be:

5 1. Of at least one (1) hour or one (1) class period in duration; and

6 2. In the classroom or at the work station of the teacher intern.

7 (b) Additional classroom observations may be conducted at the option of the committee.

8 (c) All classroom observations shall be scheduled in advance in order to provide adequate
9 time for preparation by the teacher intern.

10 (8) All members of the committee shall attend all four (4) meetings of the committee.

11 (9) At the orientation meeting of the beginning teacher committee, the following items shall
12 be addressed:

13 (a) Expectations on the part of the teacher intern and each committee member;

14 (b) Procedures and materials for classroom observations;

15 (c) Use of classroom observation data in designing the teacher intern's professional growth
16 plan;

17 (d) Requirements for the teacher intern for compiling documentary evidence of progress
18 toward demonstration of the applicable teaching standards;

19 (e) General schedule for the events to take place during the internship program; and

20 (f) Work of the resource teacher with the teacher intern.

21 (10)(a) The primary purpose of the Cycle 1 and Cycle 2 [~~second and third~~] committee
22 meetings shall be to provide the teacher intern with information based on classroom
23 observations, review of the teacher intern's documented evidence of progress toward

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1 demonstration of the applicable teaching standards, and reports of the resource teacher that shall
2 support the growth of the teacher intern.

3 (b) The committee shall provide the teacher intern at the Cycle committee [~~second, third, and~~
4 ~~fourth~~] meetings with [~~a consensus assessment of~~] the teacher intern's progress in the internship
5 in relation to the applicable teaching [~~each of the Kentucky Teacher~~] standards.

6 (11) The Professional Growth Plan [(PGP)] shall be initiated at the Cycle 1 [~~second~~]
7 committee meeting.

8 (12) The Cycle 2 committee [~~third~~] meeting shall include a review of expectations for the
9 performance of the teacher intern, taking into account the reflections of the teacher intern and the
10 committee members, and incorporating these expectations and reflections into the Professional
11 Growth Plan [PGP].

12 (13) The Cycle 3 committee [~~fourth~~] meeting shall include a professional judgment by the
13 committee members on the satisfactory completion of the one (1) year internship. This judgment
14 shall be based upon the teacher intern's ability to meet the requirements of Kentucky Teacher
15 Internship Program [~~all Kentucky Teacher Standards~~].

16 (14) If all committee members believe that more time would allow for improved
17 demonstration of the teaching standards, a fourth cycle may be conducted.

18 (15) Cycle 4 may include additional observations or a review of the teaching standards.

19 (16) Cycle 4 shall fall within the timelines of Cycle 3 and must include a committee
20 meeting. Upon completion of Cycle 4, the Cycle 4 results would replace the Cycle 3 results.

21 Section 6. Decision by the Beginning Teacher Committee, Reporting, and Certification
22 Actions. (1)(a) The decision of the beginning teacher committee as to satisfactory completion of
23 the internship for all [~~full-year~~] teacher interns shall be reported by the chair to the local school

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1 superintendent or other employer and to the Education Professional Standards Board [~~by May 1~~
2 ~~or~~] no later than two (2) weeks following the final committee meeting, [~~whichever occurs first~~].

3 [~~(b) For teacher interns completing the internship in December, the final report shall be~~
4 ~~submitted by December 15.~~]

5 (b)[~~(c)~~] If a teacher intern's performance is judged by the majority of committee to be
6 unsuccessful, the school district or employing school shall submit all relevant [~~the following~~]
7 documentation to the Education Professional Standards Board by the deadlines established in
8 paragraphs (a) and (b) of this subsection.[:

9 1. ~~Record of Teacher Internship Year;~~

10 2. ~~Resource Teacher Time Sheets;~~

11 3. All [~~Teacher Performance Assessment~~] documents created in compliance with Section 2 of
12 ~~this administrative regulation;~~

13 4. ~~School Calendar;~~

14 5. ~~Video if available;~~

15 6. ~~Any electronic communications that relate to any aspect of the internship sent to the~~
16 ~~teacher intern along with read receipts and responses back from the teacher intern if available;~~
17 ~~and~~

18 7. ~~The KTIP Intern Performance Record or the KTIP IECE Intern Performance Record.]~~

19 (c)[~~(d)~~] All materials submitted shall become the property of the Education Professional
20 Standards Board and shall not be returned to the teacher intern.

21 (2) Failure to meet the deadlines established in subsection (1) of this section may warrant
22 action against the District Superintendent's or employing school head or leader's certification.

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1 (3) If a teacher intern's performance is judged by the committee to be unsatisfactory, the
2 teacher intern shall have the opportunity to repeat the internship during one (1) additional school
3 year [~~contingent upon employment within the period of validity of the statement of eligibility for~~
4 ~~internship~~]. If the teacher intern does not successfully complete the internship [~~during the period~~
5 ~~of validity of the statement of eligibility~~], the teacher intern shall requalify for admission to the
6 remaining one (1) year of internship by meeting the requirements in effect at the time of
7 reapplication for certification.

8 (4)(a) If the teacher intern is unable to complete the internship within one (1) school year in
9 accordance with the requirements of Section 5 of this administrative regulation, an interim report
10 shall be submitted to the Education Professional Standards Board [~~EPSB through the electronic~~
11 ~~system, or by hard copy if the electronic system is unavailable~~] within ten (10) calendar days of
12 the date the internship ceases.

13 (b) Under extraordinary circumstances and with the approval of the Education Professional
14 Standards Board [~~EPSB~~], the teacher intern may continue the internship during a subsequent
15 school year if employed in a public or nonpublic accredited school. Extraordinary circumstances
16 shall include:

- 17 1. Medical condition [~~Serious medical conditions~~];
- 18 2. Temporary disability; or
- 19 3. Military deployment.

20 (c) The provisions of Section 4(1)(a) or (b) of this administrative regulation shall not apply if
21 the Education Professional Standards Board [~~EPSB~~] approves the request for an exception based
22 on extraordinary circumstances in this situation.

Agenda Book

1 Section 7. Payments to Committee Members. (1) The Education Professional Standards
2 Board shall contract with the local school district, or make other appropriate arrangements, for
3 the direct service of a resource teacher to each teacher intern.

4 (2) A resource teacher shall:

5 (a) Not serve as a resource teacher for more than two (2) teacher interns concurrently; and

6 (b) Be paid a stipend in accordance with subsection (3) of this section.

7 (3)(a) Contingent upon funding, the Education Professional Standards Board shall provide a
8 stipend [~~in an amount not to exceed \$1,400 per teacher intern~~] to each resource teacher as
9 compensation for out-of-class time spent with the teacher intern.

10 (b) The stipend shall be prorated if the required number of hours are not performed and
11 documented pursuant to the requirements of Section 5(2) of this administrative regulation.

12 (c) The stipend shall be disbursed in accordance with KRS 161.030(6)(f) on a biannual basis
13 corresponding to the semester in which the mentoring occurred or on an annual basis for full-
14 year interns with payment being disbursed at the end of the one (1) year internship.

15 [~~1. The frequency of the disbursement at the option of the district if the resource teacher is
16 serving in a public school district.~~

17 ~~2. If the resource teacher is serving in a nonpublic school, the frequency of the disbursement
18 shall be determined by the submission of the resource teacher time sheets.]~~

19 Section 8. Appeals. (1)(a) If a Beginning Teacher Committee finds that a teacher intern was
20 unsuccessful, the Education Professional Standards Board shall notify the teacher intern by
21 certified mail to the address on file with the Education Professional Standards Board [~~the last
22 known address of the teacher intern~~]. Service of the notice shall be deemed complete on the day

Agenda Book

1 the teacher intern receives the notice or on day the Education Professional Standards Board
2 receives the returned notice.

3 (b) To appeal the decision, the teacher intern shall file a written notice of appeal within thirty
4 (30) calendar days of the date service was deemed complete [~~the written notice of finding of~~
5 ~~unsuccessful completion of the internship is received by the teacher intern. If the teacher intern~~
6 ~~fails to maintain a current address with the Education Professional Standards Board or refuses to~~
7 ~~claim the certified mail, the teacher intern shall file a written notice of appeal within thirty five~~
8 ~~(35) days of the date the notice is mailed to the teacher intern's last known address].~~

9 (c) If a written notice of appeal is not received within the timeline established in paragraph
10 (b) of this subsection, the Beginning Teacher Committee's decision shall be final.

11 (2)(a) Appeals by teacher interns shall be reviewed by a committee of four (4) persons. The
12 appeals committee shall include:

- 13 1. One (1) teacher;
- 14 2. One (1) principal;
- 15 3. One (1) teacher educator; and
- 16 4. The Executive Director of the Education [~~Educational~~] Professional Standards Board, or
17 his or her designee.

18 (b) [~~The appeals committee members shall be chosen from a pool of committee candidates~~
19 ~~appointed annually by the Education Professional Standards Board.~~

20 (e) An appeals committee member shall not take part in a decision in which the member has
21 an interest or is biased.

Agenda Book

1 (3)(a) The appeals committee shall review the written appeal by the teacher intern, all
2 beginning teacher committee reports, any additional documentation that accompanied the final
3 report, and any written responses from the members of the beginning teacher committee.

4 (b) The appeals committee shall provide deference to the beginning teacher committee and
5 base its recommendation upon the following requirements:

6 1. Evidence of the teacher intern's ability to meet the requirements of the applicable teaching
7 ~~[Kentucky Teacher]~~ standards;

8 2. Appropriate documentation of the instructional setting and outside normal working hours
9 spent by the resource teacher in assisting the teacher intern as specified in KRS 161.030(7);

10 3. Assignment of beginning teacher committee members in accordance with legal
11 requirements;

12 4. Compliance with the requirements for the timing, content, reporting, and signing of
13 teacher intern performance records, meeting and observation forms, and resource teacher time
14 sheets; and

15 5. Agreement between teacher intern performance records, professional growth plans,
16 beginning teacher committee meeting reports, the ~~[teacher performance]~~ assessment, and the
17 final decision of the committee.

18 (4) The appeals committee shall make a recommendation to the Education Professional
19 Standards Board on the appeal within sixty (60) calendar days following the receipt of the
20 appeal, unless good cause exists for additional time. ~~[The Education Professional Standards~~
21 ~~Board shall issue a final decision in each appeal reviewed by the appeals committee. The~~
22 ~~Education Professional Standards Board may consider the appeals committee recommendation~~
23 ~~and the records reviewed by the appeals committee in issuing its decision.]~~

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1 (5) The Education Professional Standards Board shall issue a final decision in each appeal
2 reviewed by the appeals committee. When making its final decision, the Education Professional
3 Standards Board shall consider only the appeals committee recommendation and the records
4 reviewed by the appeals committee.

5 ~~[(5) If the decision of the beginning teacher committee is not upheld, the Education~~
6 ~~Professional Standards Board shall issue the appropriate certificate to the teacher intern.~~

7 ~~(6) If the decision of the beginning teacher committee is upheld, the Education Professional~~
8 ~~Standards Board shall issue another Statement of Eligibility for Internship, unless:~~

9 ~~(a) The teacher intern has exhausted the two (2) year provision for participation in the~~
10 ~~Kentucky Teacher Internship Program; or~~

11 ~~(b) The period of validity of the statement of eligibility has expired.]~~

12 ~~(6)[(7)]~~ If the Education Professional Standards Board determines that there is sufficient
13 credible evidence ~~[If, during the appeal process, it becomes evident]~~ that the beginning teacher
14 committee has committed some procedural violation during the internship ~~that [which]~~ makes it
15 impossible to determine if the teacher intern has in fact been unsuccessful, the Education
16 Professional Standards Board may nullify the internship and allow the teacher intern to repeat the
17 internship without penalty.

18 (7) In its final decision, the Education Professional Standards Board shall make a
19 determination as to whether or not a certification shall be issued.

20 ~~(8) If the teacher intern is not satisfied with the decision of the Education Professional~~
21 ~~Standards Board [board] based on the recommendation of the appeals committee, the teacher~~
22 ~~intern may request a formal hearing under the provisions of KRS Chapter 13B. The request shall~~
23 ~~be filed in writing with the Executive Director of the Education Professional Standards Board~~

Agenda Book

1 ~~within fifteen (15) calendar days of the date the board's decision is received by the teacher~~
2 ~~intern].~~

3 ~~(8)[(9) In notifying the teacher intern of the board's decision,] The Education Professional~~
4 Standards Board shall send its decision ~~[the decision of the board]~~ by certified mail to the
5 address of the teacher intern on file with the EPSB ~~[the last known home address of the teacher~~
6 ~~intern].~~ Service is deemed effective when the teacher intern receives the notice or when the
7 Education Professional Standards Board receives the notice of return. ~~[If the teacher intern fails~~
8 ~~to maintain a current address with the Education Professional Standards Board, or refuses to~~
9 ~~claim the certified mail, the request for a hearing shall be filed in writing with the Executive~~
10 ~~Director of the Education Professional Standards Board within (20) calendar days of the date the~~
11 ~~board's decision is mailed to the teacher intern by certified mail.]~~

12 (9) If the teacher intern is not satisfied with the decision of the Education Professional
13 Standards Board based on the recommendation of the appeals committee, the teacher intern may
14 request a formal hearing under the provisions of KRS Chapter 13B. The request shall be filed in
15 writing with the Executive Director of the Education Professional Standards Board within fifteen
16 (15) calendar days of the date the board's decision is served on the teacher intern.

17 Section 9. A teacher intern who has not successfully completed the internship and has
18 exhausted the two (2) year provision for participation in the Kentucky Teacher Internship
19 Program shall not be eligible for a Kentucky teaching certificate under this administrative
20 regulation.

21 ~~[Section 10. A teacher intern serving the internship in Interdisciplinary Early Childhood~~
22 ~~Education (IECE) shall successfully demonstrate the Kentucky Teacher Standards as adapted to~~
23 ~~the IECE standards and shall utilize the KTIP IECE Intern Performance Record.]~~

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1 ~~Section 11. Incorporation by Reference. (1) The following material is incorporated by~~
2 ~~reference:~~

3 ~~(a) "Confirmation of Employment", November 2004;~~

4 ~~(b) "KTIP Intern Performance Record", March 2008;~~

5 ~~(c) "KTIP IECE Intern Performance Record", March 2008;~~

6 ~~(d) "Record of Teacher Internship Year", March 2008; and~~

7 ~~(e) "Resource Teacher Time Sheet", March 2008.~~

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

Date

Anthony Strong, Chair
Education Professional Standards Board

DRAFT

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on October 21, 2016, at 10:00 a.m. at 100 Airport Road, Third Floor, Frankfort, Kentucky 4060. 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. This 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 November 2, 2016. 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: Lisa K. Lang, General Counsel, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601, LisaK.Lang@ky.gov, telephone number (502) 782-2147, and facsimile (502) 564-7080.

DRAFT

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation Number: 16 KAR 7:010

Contact Person: Lisa K. Lang, Phone 502-782-2147, Email LisaK.Lang@ky.gov

(1) Summary of 16 KAR 6:010

(a) What this administrative regulation does:

This administrative regulation establishes the requirements for the Kentucky Teacher Internship Program.

(b) The necessity of this administrative regulation:

KRS 161.030(5) requires that all new teachers and out-of-state teachers with less than two (2) years of successful teaching experience who are seeking initial certification in Kentucky shall serve a one (1) year internship. This administrative regulation is necessary as it establishes the requirements for the Kentucky Teacher Internship Program.

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

KRS 161.030(5) requires that all new teachers and out-of-state teachers with less than two (2) years of successful teaching experience who are seeking initial certification in Kentucky shall serve a one (1) year internship. This administrative regulation establishes the requirements for the Kentucky Teacher Internship Program.

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

This administrative regulation establishes the requirements for the Kentucky Teacher Internship Program.

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

(a) How the amendment will change this existing administrative regulation:

This administrative regulation addresses the requirements for the Kentucky Teacher Internship Program (KTIP). During 2014 and 2015, the Kentucky Advisory Council for Internships (KACI), at the direction of the Board, redesigned KTIP to align with the Kentucky framework for teaching using the district certified plan. The new program was piloted in 21 districts over the 2014-15 school year. As a Feedback was collected and used to further revise KTIP process. During 2016, all school district began using the revised KTIP with their new teachers after a waiver of this administrative regulation was approved by the Board. This proposed amendment reflects the redesigned KTIP.

Agenda Book

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

This amendment is necessary to align KTIP with the Kentucky framework for teaching using the district certified plan.

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

KRS 161.030(5) requires that all new teachers and out-of-state teachers with less than two (2) years of successful teaching experience who are seeking initial certification in Kentucky shall serve a one (1) year internship. This administrative regulation establishes the requirements for the Kentucky Teacher Internship Program required by KRS 161.030(5).

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

This amendment further clarifies KTIP and aligns it with the Kentucky framework for teaching using the district certified plan.

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

Several hundred applicants seeking initial certification in Kentucky will be affected by this regulation. Approximately 173 school districts and dozens of private schools that participate in KTIP will be affected by this regulation. Additionally, individuals who serve on the internship committees will be affected.

(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:

No additional action will be required of the applicants seeking initial certification in Kentucky, the school districts and private schools employing these applicants, or the individuals serving on the internship committees. In fact, this amendment to the regulation reduces the burden of the administrative paperwork that was previously associated with KTIP.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

There is no additional cost associated with this amendment.

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

question (3):

This amendment seeks to simplify the KTIP process and reduce the administrative paperwork for all regulated entities involved with the KTIP while still providing applicants seeking initial certification a valuable experience.

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

(a) Initially:

EPSB has capped spending at \$3,342,100.00 to administer the KTIP. If KTIP were fully funded, EPSB would spend approximately \$5,617,470.00.

(b) On a continuing basis:

EPSB has capped spending at \$3,342,100.00 to administer the KTIP. If KTIP were fully funded, EPSB would spend approximately \$5,617,470.00.

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

EPSB funds KTIP using funds from the EPSB's General Fund. Pursuant to the most recent budget bill, EPSB also uses restricted funds to help reduce the number of KTIP participants deferred each year.

(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:

The amendment of this administrative regulation will not result in an increase in funding.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

The amendment of this administrative regulation does not establish fees nor does it directly or indirectly increase any fees.

(9) TIERING: Is tiering applied?

Tiering is not applicable to the requirements of this regulation. All candidates for initial certification in Kentucky are required to do a one year internship.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 16 KAR 7:010

Contact Person: Lisa K. Lang, Phone: (502) 782-2147, Email: LisaK.Lang@ky.gov

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?

School districts and public colleges/universities are 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.

KRS 161.030(5) requires that all new teachers and out-of-state teachers with less than two (2) years of successful teaching experience who are seeking initial certification in Kentucky shall serve a one (1) year internship. This administrative regulation is necessary as it establishes the requirements for the Kentucky Teacher Internship Program.

3. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

There should be no effect.

(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?

No revenue will be generated.

(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?

No revenue will be generated.

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

Currently, the EPSB spends approximately \$3,342,100.00 per year to manage KTIP.

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

To fully fund KTIP, EPSB would need to spend approximately \$5,617,470.00. Due to funding constraints, the EPSB has capped spending at \$3,342,100.00.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item C

Action Item:

Intent to Amend 16 KAR 6:010 Examination prerequisites for teacher certification

Applicable Statutes and Regulation:

KRS 161.020, 161.028(1), 161.030(3), (4)
16 KAR 6:010

Applicable Goal(s):

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

Issue:

Should the Education Professional Standards Board approve the amendments to 16 KAR 6:010 Written Examination Prerequisites for Teacher Certification to become effective September 1, 2017?

Background:

16 KAR 6:010 identifies the test(s) that teacher applicants and teachers seeking additional certification need to take in order to become certified. This regulation also identifies the scores that the teacher applicants or teachers need to achieve on each test.

In December 2015, Kentucky participated in a multi-state standard setting study conducted by the Education Testing Services (ETS) for the PRAXIS® English to Speakers of Other Languages (5362) which will be replacing PRAXIS® English to Speakers of Other Languages (5361). The proposed test score is 155.

The revisions to 16 KAR 6:010 reflect changes that have been made to various tests by the Education Testing Service as well as the test score associated with each test.

Please note that the proposed amended regulation accompanying this action item differs slightly from the proposed amended regulation previously submitted to the Board for review and consideration. This proposed amended regulation reflects suggested changes provided by the regulation compiler at the Legislative Review Commission (LRC). Also, an error was discovered pertaining to ASLPI (American Sign Language Proficiency Interview) which was approved by the EPSB in 2012. At that time, the regulation was changed for the American Sign Language endorsement but not for the certification. The proposed regulation has been corrected to reflect the change made in 2012. No substantive changes have been made to this regulation.

Potential Actions:

1. Approve the proposed amendments to 16 KAR 6:010.
2. Do not approve the proposed amendments to 16 KAR 6:010.

Staff Recommendation:

Staff Recommendation 1

Rationale:

These changes will ensure that teacher candidates complete the required assessments for their respective certification areas.

Contact Person:

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

Date:

August 15, 2016

1 EDUCATION AND WORKFORCE DEVELOPMENT CABINET

2 Education Professional Standards Board

3 (Amendment)

4 16 KAR 6:010. Examination prerequisites for teacher certification.

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

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

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

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

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

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

21 (b) ~~]~~ "Interdisciplinary Early Childhood Education (5023)" - 166.

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

4 (a)~~[Until August 31, 2015:~~

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

6 ~~2. "Mathematics (5033)" - 164;~~

7 ~~3. "Social Studies (5034)" - 155; and~~

8 ~~4. "Science (5035)" - 159; and~~

9 (b)~~Beginning September 1, 2015:~~

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

11 (b)~~2.] "Elementary Education: Mathematics (5003)" - 157;~~

12 (c)~~3.] "Elementary Education: Social Studies (5004)" - 155; and~~

13 (d)~~4.] "Elementary Education: Science (5005)" - 159.~~

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

17 (a) Middle School English and Communications: "Middle School English Language Arts
18 (5047)" - 164;

19 (b) Middle School Mathematics: "Middle School Mathematics (5169)" - 165;

20 (c) Middle School Science:

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

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

23 (d) Middle School Social Studies:

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

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

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

6 (a) Biology:

7 ~~[1. "Biology: Content Knowledge (0235)" - 146; or~~

8 ~~2.] "Biology: Content Knowledge (5235)" - 146;~~

9 (b) Chemistry:

10 ~~[1. "Chemistry: Content Knowledge (0245)" - 147; or~~

11 ~~2.] "Chemistry: Content Knowledge (5245)" - 147;~~

12 (c) Earth Science:

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

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

15 (d) English: "English Language Arts: Content and Analysis (5039)" - 168;

16 (e) Mathematics: "Mathematics: Content Knowledge (5161)" - 160;

17 (f) ~~[1.] Physics: ["Physics: Content Knowledge (0265)" - 133; or~~

18 ~~2.] "Physics: Content Knowledge (5265)" - 133; [or]~~

19 (g) Social Studies:

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

21 ~~2.] "Social Studies: Content and Interpretation (5086)" - 153.~~

22 (5) An applicant for certification in all grades shall take the content test or tests
23 corresponding to the applicant's area or areas of specialization identified in this subsection, and,

Agenda Book

1 if a passing score is established in this subsection, the applicant shall achieve the passing score or
2 higher:

3 (a) Art:

4 [~~1. "Art: Content and Analysis (0135)" - 161; or~~]

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

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

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

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

9 (e) Health: "Health Education (5551)" - 155;

10 (f) Health and Physical Education:

11 1. [~~a. Until August 31, 2015:~~

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

13 (~~ii) "Health and Physical Education: Content Knowledge (5856)" - 156; or~~

14 ~~b. Beginning September 1, 2015,~~ "Health and Physical Education: Content Knowledge
15 (5857)" - 160; and

16 2. [~~a.] "Physical Education: [Content and Design (0095)]" - 169; or~~

17 ~~b.] "Physical Education: Content and Design (5095)" - 169;~~

18 (g) Integrated Music:

19 [~~1. "Music: Content and Analysis (0114)" - 162; or~~

20 ~~2.] "Music: Content and Instruction (5114)" - 162;~~

21 (h) Instrumental Music:

22 [~~1. "Music: Content and Analysis (0114)" - 162; or~~

23 ~~2.] "Music: Content and Analysis (5114)" - 162;~~

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1 (i) Vocal Music:

2 [~~1. "Music: Content and Analysis (0114)" – 162; or~~

3 ~~2.] "Music: Content and Analysis (5114)" – 162;~~

4 (j) Latin:

5 [~~1. "Latin (0601)" – 166; or~~

6 ~~2.] "Latin (5601)" – 166;~~

7 (k) Physical Education:

8 [~~1. "Physical Education: Content and Design (0095)" – 169; or~~

9 ~~2.] "Physical Education: Content and Design (5095)" - 169;~~

10 (l) School Media Librarian:

11 [~~1. "Library Media Specialist (0311)" – 156; or~~

12 ~~2.] "Library Media Specialist (5311)" - 156;~~

13 (m) School Psychologist:

14 [~~1. Until August 31, 2015, "School Psychologist (0401)" – 161; or~~

15 ~~2. Beginning September 1, 2015,] "School Psychologist (5402)" – 147; or~~

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

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

22 (a) Communication Disorders:

23 1. [~~a. "Special Education: Core Content Knowledge and Applications (0354)" – 151; or~~

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- 1 ~~b.] "Special Education: Core Content Knowledge and Applications (5354)" - 151; and~~
- 2 ~~2.[a. "Speech Language Pathology (0330)"—600; or~~
- 3 ~~b.(i) Until August 31, 2015, "Speech Language Pathology (5330)"—600; or~~
- 4 ~~(ii) Beginning September 1, 2015,] "Speech-Language Pathology (5331)" – 162;~~
- 5 (b) Hearing Impaired:
- 6 ~~1.[a. "Special Education: Core Knowledge and Applications (0354)"—151; or~~
- 7 ~~b.] "Special Education: Core Knowledge and Applications (5354)" - 151; and~~
- 8 ~~2.[a. "Special Education: Education of Deaf and Hard of Hearing Students (0272)"—160;~~
- 9 ~~or~~
- 10 ~~b.] "Special Education: Education of Deaf and Hard of Hearing Students (5272)" – 160;~~
- 11 (c) Hearing Impaired With Sign Proficiency:
- 12 ~~1.[a. "Special Education: Core Knowledge and Applications (0354)"—151; or~~
- 13 ~~b.] "Special Education: Core Knowledge and Applications (5354)" – 151;~~
- 14 ~~2.[a. "Special Education: Education of Deaf and Hard of Hearing Students (0272)"—160;~~
- 15 ~~or~~
- 16 ~~b.] "Special Education: Education of Deaf and Hard of Hearing Students (5272)" -160;~~
- 17 and
- 18 3. "American Sign Language Proficiency Interview (ASLPI)" – 3+; [One (1) of the
- 19 following tests with a passing score of Intermediate Level:
- 20 ~~a. "Sign Communication Proficiency Interview (SCPI)"; or~~
- 21 ~~b. "Educational Sign Skills Evaluation (ESSE)";]~~
- 22 (d) Learning and Behavior Disorders:
- 23 ~~[1. "Special Education: Core Knowledge and Mild to Moderate Applications (0543)"—~~

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1 158; or

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

3 158;

4 (e) Moderate and Severe Disabilities:

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

6 158; or

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

8 158; [or]

9 (f) Visually Impaired:

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

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

12 2.[a. "~~Special Education: Teaching Students with Visual Impairments (0282)~~" - 163; or

13 b.] "Special Education: Teaching Students with Visual Impairments (5282)" - 163.

14 (7) A holder of an exceptional child certificate in Learning and Behavior Disorders or

15 Moderate and Severe Disabilities who is seeking additional certification for any exceptional

16 children teaching certificate listed in subsection (6) of this section shall not be required to take:

17 ~~[(a) "Special Education: Core Knowledge and Applications (0354);" or~~

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

19 (8)(a) Except as provided in paragraph (b) of this subsection, an applicant for Career and

20 Technical Education certification to teach in grades 5 - 12 shall take the content test or tests

21 corresponding to the applicant's area or areas of specialization identified in this paragraph, and, if

22 a passing score is established in this paragraph, the applicant shall achieve the passing score or

23 higher:

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1 1. Agriculture:

2 [~~a. Until August 31, 2015, "Agriculture (0700)" – 520; or~~

3 ~~b. Beginning September 1, 2015,]~~ "Agriculture (5701)" – 147;

4 2. Business and Marketing Education:

5 [~~a. "Business Education (0101)" – 154; or~~

6 ~~b.] "Business Education (5101)" - 154;~~

7 3. Family and Consumer Science:

8 [~~a. Until August 31, 2015:~~

9 ~~(i) "Family and Consumer Sciences (0121)" – 162; or~~

10 ~~(ii) "Family and Consumer Sciences (5121)" – 162; or~~

11 ~~b. Beginning September 1, 2015,]~~ "Family and Consumer Sciences (5122)" – 153; [~~or~~]

12 4. Engineering and Technology Education:

13 [~~a. "Technology Education (0051)" – 159; or~~

14 ~~b.] "Technology Education (5051)" -159.~~

15 (b) An applicant for Industrial Education shall take the content test or tests corresponding
16 to the applicant's area or areas of specialization with the passing scores identified in 16 KAR
17 6:020.

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

21 (a) English as a Second Language:

22 1. Until August 31, 2017: [~~"English to Speakers of Other Languages (0361)" – 157; or~~

23 ~~2.] "English to Speakers of Other Languages (5361)" - 157; or~~

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1 2. Beginning September 1, 2017: "English to Speakers of Other Languages (5362)" –
2 155;

3 (b) Speech/Media Communications:

4 [~~1. "Speech Communication (0221)" – 146; or~~

5 ~~2.] "Speech Communication (5221)" – 146; or~~

6 (c) Theater:

7 [~~1. "Theatre (0641)" – 162; or~~

8 ~~2.] "Theatre (5641)" - 162.~~

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

12 (a) American Sign Language: "American Sign Language Proficiency Interview (ASLPI)"
13 [~~administered by the Gallaudet University] - 3+;~~

14 (b) English as a Second Language:

15 1. Until August 31, 2017: [~~"English to Speakers of Other Languages (0361)" – 157; or~~

16 ~~2.] "English to Speakers of Other Languages (5361)" – 157; or~~

17 2. Beginning September 1, 2017: "English to Speakers of Other Languages (5362)" –

18 155;

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

20 [~~1. "Special Education: Core Knowledge and Mild to Moderate Applications (0543)" –~~

21 ~~158; or~~

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

23 158;

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1 (d) Literacy Specialist:

2 [~~1. "Reading Specialist (0301)" - 164; or~~

3 ~~2.] "Reading Specialist (5301)" - 164;~~

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

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

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

7 (f) Reading Primary through Grade 12:

8 [~~1. "Teaching Reading (0204)" - 153; or~~

9 ~~2.] "Teaching Reading (5204)" - 153.~~

10 Section 3. In addition to the content area test or tests established in Section 2 of this
11 administrative regulation, each new teacher shall take the pedagogy test and meet the passing
12 score identified in this section that corresponds to the grade level of certification sought. If a
13 certified teacher is seeking additional certification in any area, the applicant shall not be required
14 to take an additional pedagogy test.

15 (1) An applicant for Elementary certification (grades primary - 5); [~~shall take one (1) of~~
16 ~~the following tests and achieve the corresponding passing score or higher:~~

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

18 (~~b) "Principles of Learning and Teaching: Grades kindergarten - 6 (5622)" - 160.~~

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

21 (~~a) "Principles of Learning and Teaching: Grades 5 - 9 (0623)" - 160; or~~

22 (~~b) "Principles of Learning and Teaching: Grades 5 - 9 (5623)" - 160.~~

23 (3) An applicant for certification at the secondary level (grades 8 through 12); [~~shall take~~

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1 ~~one (1) of the following tests and achieve the corresponding passing score or higher:~~

2 ~~(a) "Principles of Learning and Teaching: Grades 7 - 12 (0624)" - 160; or~~

3 ~~(b)] "Principles of Learning and Teaching: Grades 7 - 12 (5624)" - 160.~~

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

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

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

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

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

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

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

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

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

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

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

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

22 ~~(b)[(d)] "Principles of Learning and Teaching: Grades 5 - 9 (5623)" - 160;~~

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

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

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

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

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

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

13 (a) The Educational Testing Service; or

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

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

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

22 (b) An applicant shall seek information regarding the dates and location of the tests and
23 make application for the appropriate examination prior to the deadline established and

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1 sufficiently in advance of anticipated employment to permit test results to be received by the
2 Education Professional Standards Board and processed in the normal certification cycle.

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

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

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

DRAFT

Date

Anthony Strong, Chair
Education Professional Standards Board

DRAFT

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on October 21, 2016, at 9:00 a.m. at 100 Airport Road, Third Floor, Frankfort, Kentucky 4060. 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. This 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 November 2, 2016. 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: Lisa K. Lang, General Counsel, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601, LisaK.Lang@ky.gov, telephone number (502) 782-2147, and facsimile (502) 564-7080.

DRAFT

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation Number: 16 KAR 6:010

Contact Person: Lisa K. Lang, Phone 502-782-2147, Email LisaK.Lang@ky.gov

(1) Summary of 16 KAR 6:010

(a) What this administrative regulation does:

This administrative regulation establishes the examination prerequisites for teacher certification.

(b) The necessity of this administrative regulation:

KRS 161.028(1)(a) requires that the Education Professional Standards Board establish requirements for obtaining and maintaining a teaching certificate. KRS 161.030(3)(a) states that the certification of all new teachers and teachers seeking additional certification shall complete the appropriate assessment requirements.

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

KRS 161.028(1)(a) authorizes the Education Professional Standards Board to establish standards and requirements for obtaining and maintaining a teaching certificate. KRS 161.030(3) and (4) require the Education Professional Standards Board to select the appropriate assessments required prior to teacher certification.

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

This administrative regulation establishes assessment requirements, corresponding cut scores, and effective dates.

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

(a) How the amendment will change this existing administrative regulation:

This amendment removes beginning and end effective dates of assessments and cut score changes that are no longer needed, and replaces two assessments with two new assessments with the same name, but changes numbers associated with those assessments as well as the required scores for passing.

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

This amendment establishes the assessments required for teacher certification and sets the corresponding minimal acceptable achievement scores for those assessments.

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

This amendment establishes assessment requirements and minimal acceptable achievement scores for those assessments as required by KRS 161.028(1)(a).

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

This amendment clarifies the assessments required for teacher certification and their corresponding minimal acceptable achievement scores for certification.

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

This administrative regulation will affect candidates for certification, higher education faculty of the twenty-five (25) colleges/universities should submit certification recommendations on behalf of candidates, and the 173 Kentucky public school districts.

(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:

Candidates for teacher certification must ensure that they have taken the appropriate assessment for certification. Higher education faculty at the twenty-five (25) colleges/universities must notify candidates for certification and review their curriculum to implement changes if necessary. The 173 public school districts will not have to take any action.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

There is no additional cost associated with this amendment.

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

Candidates for teacher certification will be able to ensure that they have taken the appropriate assessment for certification. Higher education faculty at the twenty-five (25) colleges/universities must notify candidates for certification and review their curriculum to implement changes if necessary. The 173 public school districts will not have to take any action.

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

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(a) Initially: N/A

(b) On a continuing basis: N/A

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

Assessment fees are provided by the candidates for certification.

(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:

These assessments are not administered by the EPSB, therefore no fee or funding increase will be necessary.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

No fees have been increased. This is a cost to the candidate for certification and is paid to the assessment agent.

(9) TIERING: Is tiering applied? Tiering is not applicable to the requirements of this regulation. All candidates for certification are required to take their specified assessment. The EPSB does not administer these assessments nor does the EPSB set the rates for these assessments.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 16 KAR 6:010

Contact Person: Lisa K. Lang, Phone: (502) 782-2147, Email: LisaK.Lang@ky.gov

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?

There will be no impact on units, parts, or divisions of state or local government.

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

KRS 161.028(1)(a) requires that the EPSB establish requirements for obtaining and maintaining teaching certification. KRS 161.030(3)(a) states that the certification of all new teachers and teachers seeking additional certification shall complete the appropriate assessment requirements.

3. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

There should be no effect.

(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?

No revenue will be generated.

(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?

No revenue will be generated.

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

Currently, the EPSB spends approximately \$55,000.00 per year to manage assessments.

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

The administrative costs associated with this program are estimated to remain constant at approximately \$55,000.00 per year.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item D

Action Item:

Adopt proposed Policy and Procedures relating to Board Action Against a Certificate Holder's Certificate.

Applicable Statutes and Regulation:

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

Applicable Goal(s):

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 Board adopt and/or revise the Board's policy and procedures regarding board action against a certificate holder's certificate?

Background:

This action item was presented to the Board at the June 2016 meeting for its consideration and review. Since that time, the EPSB Executive Director and General Counsel shared the draft policies and procedures with stakeholders and those stakeholders provided feedback. Based on that feedback, the Executive Director and General Counsel revised several procedures to provide more clarity on the process. The additional changes based on stakeholder feedback have been included in bold print.

Groups/Persons Consulted:

Kevin Brown, Kentucky Department of Education
Mary Ruble, Kentucky Education Association
Tom Shelton, Kentucky Association of School Superintendents
Wayne Young, Kentucky Association of School Administrators

Potential Actions:

1. Approve the proposed Board policy and procedures relating to board action on a certificate holder's certification.
2. Do not approve the proposed Board policy and procedures relating to board action on a certificate holder's certification.
3. Modify the proposed Board policy and procedures relating to board action on a certificate holder's certification.

Staff Recommendation:

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Staff Recommendation 1

Rationale:

By adopting and/or revising its current policy and procedures, the Board will be better able to ensure transparency, fairness, and accountability for actions taken against a certificate holder's certificate.

Contact Person:

Ms. Lisa Lang, General Counsel
Division of Executive Office
502-564-4606
E-mail: Lisa.Lang@ky.gov

Date:

August 15, 2016

Education Professional Standards Board

**PROCEDURES RELATING TO BOARD ACTION ON
CERTIFICATE HOLDER'S CERTIFICATION –**

**Section 1
Types of Actions**

APPROVED _____

- I. In order to support the mission of the Education Professional Standards Board (EPSB), the EPSB may take action against a certificate holder's certificate in an effort to either 1) ensure that a certificate holder has an understanding of an educator's professional duties and responsibilities; and/or 2) protect students, parents of students, school personnel, or school officials. The EPSB is authorized to take the actions set forth below.
 - A. **Admonishment:** an admonishment (or reprimand¹) is a formal written censure that is placed in the official file of the certificate holder. It is considered appropriate for violations of statute or law that are not serious in nature. KRS 161.120(4).
 - B. **Suspension:** a suspension is a process by which the EPSB temporarily suspends a certificate holder's certification for a specified period of time, not to exceed two years. KRS 161.120(10). At the conclusion of the specified period of time, the EPSB is required to reissue the certificate holder's certificate upon a demonstration that the certificate holder has complied with any reinstatement conditions that may be set forth in an agreed order or final board order. KRS 161.120(10).
 - C. **Revocation:** a revocation is a permanent forfeiture of a certificate holder's certification. The board is required to establish the minimum period of time before an applicant can reapply for a new certificate. KRS 161.120(11). Once the period of time has expired, the EPSB may consider a former educator's re-application for certification upon demonstration by the applicant that the former educator is again fit for practice. KRS 161.120(11).
 - D. **Probationary or Supervisory Conditions:** EPSB also has the authority to impose probationary or supervisory conditions upon a certificate. KRS 161.120(1). This authority shall include the authority to require training.
 - E. **Surrender:** a surrender occurs when a certificate holder voluntarily agrees to a permanent forfeiture of the certificate holder's certificate.
- II. The EPSB may initiate any combination of the actions listed above regarding any certificate or license issued under KRS 161.010 to 161.100 for any of the reasons set forth in KRS 161.120(1).

¹ For the purpose of KRS 161.120, the EPSB considers an admonition and a reprimand to be synonymous.

Education Professional Standards Board

**PROCEDURES RELATING TO BOARD ACTION ON
CERTIFICATE HOLDER'S CERTIFICATION –**

Section 2

Intake and Review of Reports and Complaints

APPROVED _____

- I. **Intake.** EPSB receives reports or complaints containing alleging conduct listed in KRS 161.120(1). KRS 161.120(2)(a) and 161.120(2)(c).
- A. Superintendents of local school districts have a duty pursuant to KRS 161.120(2)(a) to file with EPSB reports in writing that contain the full facts and circumstances leading to the contract termination or nonrenewal, resignation, or other absence, conviction, or otherwise reported actions or conduct that might reasonably warrant action against the certificate under KRS 161.120(1).
 - 1. A superintendent's duty to report includes reporting those convictions committed by a certificate holder that occurred prior to the date a certificate holder's certificate was issued. KRS 161.120(2)(b).
 - a) A superintendent must submit a report to the EPSB within 30 days of the event giving rise to the duty to report. KRS 161.120(2)(a).
 - b) If the event giving rise to the duty to report relates to a certificate holder's criminal conviction then the superintendent must submit a report to the EPSB within 30 days after the superintendent or designee became aware of the criminal conviction.
 - c) The duty to report exists without regard to any disciplinary action, or lack thereof, by the superintendent. KRS 161.120(2)(a).
 - B. Pursuant to KRS 161.120(2)(c), EPSB may consider complaints or reports from any other source, but the EPSB will only accept written, signed complaints.
- II. **Review.** EPSB's Executive Director and EPSB staff will review all reports and complaints to determine whether the report or complaint contains sufficient credible evidence that a violation of KRS 161.120(1) has occurred.
- A. If the report or the complaint contains insufficient credible evidence that conduct occurred that would constitute a violation of KRS 161.120(1), EPSB staff will gather additional information or facts through public sources.
 - B. After an attempt has been made to obtain additional information or facts from public sources, EPSB's Executive Director and EPSB staff will re-evaluate the report or complaint to determine if there is sufficient credible evidence to establish that a violation of KRS 161.120(1) has occurred. If there is still

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insufficient credible evidence that a violation of KRS 161.120(1) has occurred, no further action will be taken, but the report or complaint will be kept on file in the event additional information is received.

1. Reports or complaints that relate to a certificate holder where there is insufficient credible evidence that a violation of KRS 161.120(1) occurred will be kept on file for five (5) years from the date the EPSB's Executive Director and EPSB staff first evaluated the report or complaint.
2. Reports or complaints that relate to non-certificate holder will be kept on file for one (1) year after the death of that non-certificate holder.
3. Reports or complaints kept on file are not subject to Open Records pursuant to KRS 61.878(1)(h). See OAG 91-198.

III. Notice to Certificate Holder.

- A. If the report or complaint contains sufficient credible evidence that a violation of KRS 161.120(1) has occurred, EPSB staff will open a file and assign that file a number.
 1. If multiple reports or complaints are received regarding a certificate holder before any action is taken by the board, all of the reports and/or complaints will be consolidated into a single file;
 2. If multiple reports or complaints are received regarding a certificate holder after the board has issued a dismissal; a deferral for training; an admonishment (and the certificate holder has not requested that the matter be referred to hearing); or an admonishment with training (and the certificate holder has not requested that the matter be referred to hearing) and the matter is otherwise closed, the report or complaints will be given a new file number;
 3. If an additional report or complaint is received by the EPSB staff after the board has referred the matter for Attorney Review and Investigation, the additional report or complaint will be consolidated with the existing file; or
 4. When a complaint or report is consolidated with an existing case file, a copy of the complaint or report will be sent to the certificate holder or the certificate holder's attorney. The certificate holder or the certificate holder's attorney will be given the opportunity to submit a rebuttal.

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B. When a case file is opened, the EPSB staff shall ensure that the certificate holder is served with a copy of the written complaint or report alleging violations of KRS 161.120(1) along with a Notification of Report or Complaint (Notification) to the certificate holder's last known address on file with the EPSB. The Notification shall:

1. Notify the certificate holder that EPSB has received a report or complaint pursuant to KRS 161.120(1);
2. Provide the certificate holder with a copy of the report or complaint;
3. Notify the certificate holder that the certificate holder has thirty (30) days from the date the certificate holder receives the Notification to provide EPSB with a written rebuttal.
4. Notify the certificate holder that the board will review the report or complaint and written rebuttal to determine whether further action is necessary.
5. Notify the certificate holder that the report or complaint is deemed confidential and should not be disclosed by the certificate holder for any other purpose other than for preparing a rebuttal.
6. Notify the certificate holder that all names, addresses, and counties will be redacted in order to protect the confidentiality of the certificate holder and witnesses.

IV. Upon receipt of the certificate holder's rebuttal or return of the notice as undeliverable, EPSB staff shall add the case to the EPSB's Docket and prepare the file for board review by redacting all certificate holder identifiers.

Education Professional Standards Board

**PROCEDURES RELATING TO BOARD ACTION ON
CERTIFICATE HOLDER'S CERTIFICATION –**

Section 3

**Board Action on Reports and Complaints:
Informal Resolution**

APPROVED _____

- I. In advance of each of its regularly scheduled board meetings, EPSB will receive summaries of the Reports and Complaints as well as redacted copies of the full corresponding written rebuttals for those matters it will be reviewing at the board meeting.
- A. If an EPSB board member wants to review redacted copies of actual Reports and/or Complaints at the board meeting, the board member shall be given access to the full redacted case file on the day of the board meeting.
 - B. To the greatest extent possible, the EPSB board member wishing access to the redacted case file shall make a request to the Executive Director, EPSB in advance of the board meeting to give EPSB staff sufficient time to redact the case file.
- II. **Board Review.** At each regularly scheduled board meeting, EPSB will discuss the Reports and Complaints in closed session.
- A. When making a determination as to how to proceed, the EPSB may consider the following factors:
 - 1. the seriousness of the alleged misconduct;
 - 2. whether the alleged misconduct was premeditated or intentional;
 - 3. attempted concealment of alleged misconduct;
 - 4. prior misconduct;
 - 5. whether training is appropriate to prevent further violations;
 - 6. whether the sanction is necessary to deter future violations;
 - 7. and any other relevant circumstances or facts.
 - B. **Permanent Revocation.** Permanent revocation may be warranted in some cases. Examples of some cases where permanent revocation may be warranted may include, but are not limited to, the following scenarios:
 - 1. engaged in any sexual contact with a student or minor;
 - 2. solicited any sexual contact with a student or minor;
 - 3. possessed or distributed child pornography;
 - 4. was registered as a sex offender;
 - 5. committed criminal homicide; or

6. transferred, sold, distributed, or conspired to possess, transfer, sell, or distribute any controlled substance, the possession of which would be at least a Class A misdemeanor under the Kentucky Revised Statutes, Chapter 218A, on school property.
7. sanctioned misconduct in another state. The findings of fact contained in final orders from any other state jurisdiction may provide the factual basis for EPSB action. If the underlying conduct for the administrative sanction of an educator's certificate or license issued in another state is a violation of Kentucky law, the EPSB may initiate action regarding the educator's Kentucky's educator certificate and impose a sanction as provided under this chapter.

III. Board Action. The board may take board action upon confirmation that a quorum exists. If a quorum exists, the board may take one of the following actions by majority vote:

- A. **Deferral.** Deferral is appropriate when more information is needed before the Board can take action; the report or complaint will only be deferred until the next board meeting.
 1. If, by majority vote, the EPSB decides that it would like additional information before taking any further action, the EPSB shall direct EPSB staff to gather additional information from the reporting school district and/or from public sources and bring the case back before the Board as part of the Docket.
 2. EPSB staff shall either provide the additional information sought by the EPSB at the next regularly scheduled board meeting or, if the additional information is not available by the next regularly scheduled board meeting, the EPSB staff shall be prepared to update the Board as to when EPSB staff anticipates that the additional information will be received.
 3. A deferral does not constitute a final action.
- B. **Dismissal.** Dismissal is based on other factors including, but not limited to, lack of evidence, incomplete reporting, and refusal by witnesses to co-operate. A dismissal at this juncture does not prohibit the alleged conduct from being the subject of a new report or complaint brought back before the Board;
 1. An Order of Dismissal constitutes final action.
 2. EPSB reserve the right to review case file at a later date should additional information be received in the future.
 3. Orders of Dismissal are filed as part of the Educator Disciplinary Records. Pursuant to EPSB's Records Retention Schedule, Educator Disciplinary Records must be retained one (1) year after notification of the educator's death.

C. **Deferral for Training.** Deferral for Training is appropriate when EPSB determines that additional professional development of a certificate holder is warranted. EPSB shall require the certificate holder to undergo specific training within a specific time period. Upon completion of training, the certificate holder will be required to present written proof of training to EPSB. The EPSB will then enter an Order of Dismissal if satisfied that the certificate holder has satisfied the training requirement.

1. If certificate holder fails to either complete training or fails to provide evidence to EPSB of completed training during the required timeframe, EPSB staff will put the case back on the Docket for possible further action by the Board.
2. Deferral for Training does not constitute final action.

D. **Admonishment.** The board may issue a written admonishment to the certificate holder if the board determines, based on the evidence, a violation has occurred, but the violation is not of a serious nature. KRS 161.120(4).

1. The EPSB staff shall send a copy of the written admonishment to the address on the record for the certificate holder on file with the EPSB.
2. Upon receipt of the written admonishment, the certificate holder may:
 - a. Accept the written admonishment;
 - b. Accept the written admonishment, but provide a response within 30 days of receipt of the admonishment and have it placed in the certificate holder's official file along with written admonishment; or
 - c. Not accept the written admonishment and, within 30 calendar days of receipt of the admonishment, request that the matter be referred to hearing. Upon receipt of the request for hearing, the board will set the admonishment aside and will refer the matter to a hearing.
3. Once the period of time for the certificate holder to respond has ended, the EPSB shall take one of the following actions:
 - a. If the certificate holder accepts the admonishment, the EPSB will place the admonishment and the certificate holder's response (if any) in the certificate holder's official file; or
 - b. If the certificate holder does not accept the admonishment and requests a hearing, the EPSB staff will recommend to the EPSB that the matter be referred for hearing.
4. If the certificate holder accepts the admonishment, the admonishment is considered final action.

5. The EPSB staff, a presiding administrative law judge, and the EPSB may consider any past written admonishments when seeking, recommending, or ordering sanctions based on subsequently obtained evidence of similar improper or criminal conduct by the certificate holder.
 6. The EPSB staff shall notify the reporting party.
- E. **Admonishment with Training.** The board may issue a written admonishment with training if the board determines, based on the evidence, a violation has occurred, the violation is not of a serious nature, and that the additional professional development of a certificate holder is warranted to prevent future violations. EPSB shall require the certificate holder to undergo specific training within a specific time period. Upon completion of training, the certificate holder will be required to present written proof of training to EPSB. If the certificate holder fails to complete the training within the specified timeframe, the EPSB may consider taking additional action. In all other respects, the process for imposition of an Admonishment with Training will be handled in the same manner as the Admonishment alone.
- F. **Referral for Attorney Review and Investigation.** Referral for Attorney Review is appropriate when the alleged conduct, should it be substantiated, would warrant sanctions. During this phase, the assigned attorney will review and evaluate the evidence; determine if more evidence is needed; and prepare a recommendation for the Board as to whether the report or complaint should be referred to hearing.
1. Assignment of Referral for Attorney Review. After the Board refers a report or complaint for attorney review and investigation, an attorney will be assigned to handle the report or complaint. The assigned attorney will be responsible for all aspects of the action through either board dismissal or conclusion of contested hearing.
 2. Notification of Referral. The EPSB shall be responsible for sending a Notification of Referral for Attorney Review and Investigation (Notice of Referral) to the certificate holder.
 3. Contents of Notification of Referral.
 - a. The Notice of Referral shall put the certificate holder on notice that the board has referred the report or complaint for further review and investigation.
 - b. The Notice of Referral shall put the certificate holder on notice of the certificate holder's right to provide evidence that the certificate holder's conduct did not constitute a violation of law or ethics.
 - c. The Notice of Referral shall be sent to the certificate holder's address on file with the EPSB.

4. Review and Investigation.

- a. The EPSB staff will review the evidence contained in the investigative case file and determine what additional evidence is needed to evaluate the case.
- b. The EPSB staff will take all steps necessary to gather information or evidence to necessary to evaluate case.

5. Recommendations for Resolution.

- a. Once the EPSB staff is satisfied that all information and evidence reasonably available has been collected, the EPSB staff shall:
 - 1) recommend that the case be referred for hearing;
 - 2) recommend that an agreed order be approved; or
 - 3) recommend that the case be dismissed for lack of evidence or insufficiency of evidence.
 - b. At any point after a report or complaint has been referred for investigation and review or referred to hearing, the EPSB staff has the authority to enter into discussions with a certificate holder or a certificate holder's attorney to resolve the action by agreed order.
 - c. An agreed order is appropriate when there is sufficient evidence that could result in a finding that the alleged misconduct did occur and the certificate holder is willing to accept sanctions without going to the expense of a hearing.
 - d. All agreed orders must be approved by the majority of the board.
6. The certificate holder has the right to request a hearing at any point after an Agreed Order has been offered and rejected.

G. Referral to Hearing. Referral to Hearing is appropriate when the Board is satisfied, based on the report provided by the EPSB staff that the alleged conduct occurred and that sanctions are warranted. Referral to Hearing is also appropriate when the certificate holder requests a hearing after receiving a written admonishment.

H. Notice of Board Action on Reports or Complaints. Once the Board has taken any of the actions set forth above, the Executive Director shall issue a Notice of Action on Report or Complaint to the certificate holder.

1. The Notice of Board Action on Reports or Complaints (Notice of Board Action) shall be signed by the Executive Director or the EPSB Board Chair.
2. The Notice of Board Action will be sent as soon as practicable to the certificate holder's address on file with the EPSB.

Agenda Book

3. The Notice of Board Action will also be sent to the reporting party.

Education Professional Standards Board

**PROCEDURES RELATING TO BOARD ACTION ON
CERTIFICATE HOLDER'S CERTIFICATION –**

Section 4

Contested Case Process: Pre-Hearing Phase

APPROVED _____

- I. **Referral to Hearing.** When the Board determines that the allegations warrant sanctions, the Board shall refer the matter to hearing. The administrative hearing shall be conducted in conformance with KRS Chapter 13B. KRS 161.120(5)(a).
- II. **Commencement of Disciplinary Action.** The disciplinary process begins once the **Board** approves and issues a Notice of Hearing and Statement of Charges and Issues prepared by the attorney assigned by EPSB staff to handle the case.
- A. **Notice of Hearing and Statement of Charges and Issues.** The Notice of Hearing and Statement of Charges (Statement of Charges) shall inform the certificate holder of the specific reason for the proposed administrative hearing action. Specifically, the Statement of Charges should including at least the following information:
1. Statutory or regulatory violation(s);
 2. Factual basis on which the disciplinary action is based; and
 3. Penalty sought.
- B. The Notice of Hearing and Statement of Charges shall be sent to the address on file with the EPSB.
- C. Pursuant to KRS 161.120(6), the Board may elect to conduct the disciplinary hearing before the full Board, a panel of three (3) members of the Board, or a person appointed as hearing officer by the Board pursuant to KRS 13B.030(1).
1. If the Board elects to proceed by the appointment of a hearing officer and has not sought permission from the Office of the Attorney General to contract with a private hearing officer, EPSB staff shall request that the Office of the Attorney General appoint a hearing officer to preside over the administrative hearing.
 2. The EPSB staff will forward a copy of the Statement of Charges to the Office of the Attorney General along with a request for appointment of a hearing officer.

- D. **Appointment of Hearing Officer.** Once appointed, the Hearing Officer shall preside over the conduct of an administrative hearing and shall regulate the conduct of the proceedings in a manner which will promote the orderly and prompt conduct of the hearing. KRS 13B.080.
- E. **Location of Hearing.** Unless otherwise agreed to by the parties, all hearings shall be conducted in the offices of the Education Professional Standards Board, 100 Airport Road, Frankfort, KY 40601.
- F. **Right to Private Hearing.** The certified educator may request in writing a public or private hearing pursuant to KRS 161.120(5)(b). If the certified educator fails to specifically request a private hearing, the certified educator is deemed to have waived the right to a private hearing and a public hearing will be conducted.
- G. **Disclosure of Record.**
1. All records relating to a private hearing are generally deemed preliminary and, therefore, exempt from disclosure pursuant to KRS 61.878 and KRS 13B.080 (8) during the Hearing Phase.
 2. Regardless of whether a certified educator elects to proceed with a private or public hearing, the recommended order and hearing transcript is considered preliminary and, therefore, exempt from disclosure pursuant to KRS 61.878 until the EPSB issues its Final Order. After the Board issues its Final Order, all records, not otherwise exempt by law, will be subject to disclosure pursuant to Kentucky's Open Record Act.

Education Professional Standards Board

**PROCEDURES RELATING TO BOARD ACTION ON
CERTIFICATE HOLDER'S CERTIFICATION –**

Section 5

Contested Case Process: Hearing Phase

APPROVED _____

I. The Hearing Officer shall preside over the conduct of an administrative hearing and shall regulate the course of the proceedings in a manner which will promote the orderly and prompt conduct of the hearing. KRS 13B.080(1).

II. Right to Counsel. Any party to an administrative hearing may participate in person or be represented by counsel. KRS 13B.080(5).

III. Record. The original of all filings shall be mailed to the offices of EPSB, and copies of any filed item shall be served on all parties and the hearing officer by mail. The EPSB shall stamp the time and date upon a document when the document is received. KRS 13B.080(2).

IV. Pre-Hearing Process.

A. Pre-Hearing Conference. The Hearing Officer shall schedule a pre-hearing conference upon reasonable notice to all parties. KRS 13B.070.

1. During the pre-hearing conference, the hearing officer will explore jurisdictional matters, mediation and settlement possibilities, preparation of stipulations, clarification of issues, rulings on witnesses, taking of evidence, issuance of subpoenas and orders, and other matters that will promote the orderly and prompt conduct of the hearing.
2. Upon conclusion of a prehearing conference, the hearing officer shall issue a prehearing order incorporating all matters determined at the prehearing conference. If a prehearing conference is not held, the hearing officer may issue a prehearing order, based on the pleadings, to regulate the conduct of the hearing.

B. Pre-Hearing Matters and Discovery. KRS 13B.080(2) – (3).

1. The hearing officer, at appropriate stages of the proceedings, shall give all parties full opportunity to file pleadings, motions, objections, and offers of settlement. The hearing officer, at appropriate stages of the proceedings, may give all parties full opportunity to file briefs, proposed

findings of fact and conclusions of law, and proposed recommended or final orders.

2. The hearing officer may issue subpoenas and discovery orders when requested by a party or on his own volition. When a subpoena is disobeyed, any party may apply to the Circuit Court of the judicial circuit in which the administrative hearing is held for an order requiring obedience. Failure to comply with an order of the court shall be cause for punishment as contempt of the court.

V. Default. If a party properly served under KRS 13B.050 fails to attend or participate in a prehearing conference, hearing, or other stage of the administrative hearing process, or fails to comply with the orders of a hearing officer, the hearing officer may adjourn the proceedings and issue a default order granting or denying relief as appropriate. A default order shall be considered a recommended order and shall be processed as provided in KRS 13B.110. KRS 13B.080(6).

VI. Hearing.

A. Burden of Proof. KRS 13B.090(7).

1. EPSB's proposed action on a certification currently held.
 - a. The EPSB has the burden of proof on any issue has the burden of going forward and the ultimate burden of persuasion as to that issue.
 - b. The EPSB must demonstrate by the preponderance of evidence in the record that the penalty sought is appropriate
 - c. The certificate holder has the burden of asserting an affirmative defense and has the burden to establish that defense.
2. Applicant's appeal on EPSB's denial of an application of certification.
 - a. The applicant has the burden of proof on any issue has the burden of going forward and the ultimate burden of persuasion as to that issue.
 - b. The applicant must demonstrate by the preponderance of evidence in the record that the penalty sought is appropriate
 - c. The EPSB has the burden of asserting an affirmative defense and has the burden to establish that defense.

B. Recommended Order. As appropriate, the presiding Hearing Officer shall issue a Recommended Order in conformance with the requirements of KRS Chapter 13B.

1. Timeframe.
 - a. The Hearing Officer shall complete and submit that Recommended Order to the EPSB no later than 60 calendar days after receiving a copy of receiving the official record of the proceeding. KRS 13B.110(1).
 - b. Request for extension. If an extension of time is needed, the hearing officer may submit a request to the EPSB in accordance with KRS 13B.110.
2. Format. In addition to the requirements of KRS Chapter 13B, the Hearing Officer's recommendation shall be consistent with the EPSB's Policy relating to Action on an Applicant's Application for Certification or a Certificate Holder's Certification.
3. The Hearing Officer's Recommended Order shall include only those sanctions that are permitted pursuant to KRS 161.120 (1) and shall not to exceed the time limits set forth in KRS 161.120 (10) – (11).
4. The Hearing Officer shall consider the factors set forth in Section 3,IIA when recommending regarding sanctions.

VII. Filing of Exceptions. A party may file any exceptions to the Recommended Order within 15 calendar days of the date the recommended order is mailed in accordance with KRS 13B.110(7), if applicable. This time limit may not be extended and no responses to exceptions shall be considered by the EPSB.

A. Service

1. Copies to parties. Exceptions shall be served upon the other party by mail, hand-delivery, facsimile, any method or any electronic transmission agreed to by the parties; and
2. Original to agency.

- B. **Waiver.** Any disagreement with a factual finding or conclusion of law in the recommended order not contained in an exception to the recommended order shall be waived.
- C. **Form of Exceptions.** Each exception or reply to a finding of fact or conclusion of law should be concisely stated and should summarize the evidence in support of each exception.
1. Any evidence or arguments relied upon shall be grouped under the exceptions to which they relate.
 2. In summarizing evidence, the parties shall include a specific citation to the hearing record where such evidence appears or shall attach the relevant excerpts from the hearing record.
 3. Arguments shall be logical and coherent and citations to authorities shall be complete.
- D. **Basis for Exceptions.** The following exceptions to the Recommended Order may include the following:
1. The hearing officer has made an incorrect conclusion of law;
 2. the hearing officer has failed to make an essential fact finding;
 3. the hearing officer applied the incorrect burden or standard of proof;
 4. the findings of fact do not support the conclusions of law;
 5. the hearing officer has made a finding of fact that is not supported by the preponderance of the evidence; or
 6. the hearing officer recommended a sanction not permitted by law.

VIII. Disclosure.

- A. All records relating to a private hearing are generally deemed preliminary and, therefore, exempt from disclosure pursuant to KRS 61.878 and KRS 13B.080 (8) during the Hearing Phase.
- B. Regardless of whether a certified educator elects to proceed with a private or public hearing, the recommended order and hearing transcript is considered preliminary and, therefore, exempt from disclosure pursuant to KRS 61.878 until the EPSB issues its Final Order.

Education Professional Standards Board

**PROCEDURES RELATING TO BOARD ACTION ON
CERTIFICATE HOLDER'S CERTIFICATION –**

Section 6

Contested Case Process: Post-Hearing Phase

APPROVED _____

- I. **Review of Recommended Order.** In making the final order, the EPSB shall consider the record including the Recommended Order and any exceptions to the Recommended Order. KRS 13B.120(1).
- II. **Final Decisions and Orders.** After the board chair certifies that a quorum is present at an EPSB board meeting, a majority vote of the voting members present shall be required to make a final decision on the Recommended Order, Agreed Order, or request for issuance of a Default Judgment.
- A. The EPSB may adopt an order, or it may reject or modify, in whole or in part, the recommended order submitted by the presiding hearing officer. KRS 13B.120(2).
 - B. The EPSB may remand the matter back to the hearing officer, in whole or in part, for further proceedings as appropriate. KRS 13B.120(2).
 - C. If the Final Decision differs from the recommended order, it shall include a separate statement of the findings of fact and conclusions of law. KRS 13B.120(3).
- III. **Timeframe.** When using the services of a hearing officer, the board shall render a final decision within 90 calendar days after the hearing officer submits a recommended order to the board unless the matter is remanded back to the hearing officer for further proceedings. KRS 13B.120(4).
- IV. **Signature Authority.** The EPSB may delegate to the chair the authority to sign on behalf of a majority of the EPSB board members a decision made or order issued under this section.
- V. **Disclosure of Contested Case File After Final Decision Issued.** Regardless of whether a certified educator elected to proceed with a public or private hearing, the Contested Case Record including, but not limited to, the Final Decision, the Recommended Order, and the hearing transcript, is subject to disclosure upon the board's issuance of its final appealable order unless specifically closed by the hearing officer pursuant to a provision of law.
- VI. **Redaction.** Prior to the public disclosure of the Contested Case Record in accordance with KRS 61.805, et seq., EPSB staff shall ensure that any information otherwise prohibited by

disclosure by law or regulation is redacted.

VII. Administrative Finality.

- A. In accordance with KRS Chapter 13B, Final Decisions issued by the EPSB shall be subject to judicial review by the Franklin Circuit Court. KRS 161.120 (10).
- B. A petition for judicial review shall not automatically stay a Final Decision pending the outcome of the review unless a stay is ordered by the Franklin Circuit Court. KRS 13B.140(4).

VIII. Motions to Reconsider, Modify, or Reverse. Under exceptional circumstances, the board may reconsider, modify, or reverse its decision on any disciplinary matter upon a motion by one of the parties or on its own volition. KRS 161.120(9).

Education Professional Standards Board

**PROCEDURES RELATING TO BOARD ACTION ON
CERTIFICATE HOLDER'S CERTIFICATION –**

Section 7

Procedure for the Suspension, Surrender, or Revocation of a Certificate

APPROVED _____

- I. When the board issues an order of suspension, surrender, or revocation, the EPSB staff shall mail a copy of the Final Decision to the person who formerly held the certificate to the address on file with the Education Professional Standards Board.
- II. A record of the board action suspending or revoking a certificate shall become part of the person's official records maintained by EPSB staff.
- III. Immediately following the issuance of the board's Final Decision, the EPSB staff shall notify, as applicable, the reporting district, the employing school district, and the reporting party of the action taken.
- IV. EPSB staff will also ensure that the suspension, surrender, or revocation is noted on the EPSB website. The period of suspension shall only be noted on the website while the certificate is suspended.
- V. EPSB staff will also ensure that the information is provided to the National Association of State Directors of Teacher Education and Certification (NASDTEC) for inclusion in The NASDTEC Clearinghouse. The Clearinghouse is a searchable database administered by NASDTEC relating to educator certification and discipline.

Education Professional Standards Board

**PROCEDURES RELATING TO BOARD ACTION ON
CERTIFICATE HOLDER'S CERTIFICATION –**

Section 8

Procedure for the Reinstatement of a Suspended Certificate

APPROVED_____

- I. Reinstatement of a suspended certificate for reasons other than misconduct involving the illegal use of controlled substance as defined in KRS 218A.010(5)
- A. A certificate that has been suspended by the Education Professional Standards Board shall not be reinstated until the certificate holder has met all conditions and requirements ordered by the Education Professional Standards Board.
 - B. If a certificate lapses during a period of suspension, at the end of the suspension period and upon completion of all conditions and requirements ordered by the Education Professional Standards Board, the certificate holder shall apply for the renewal of the certificate and shall meet all educational requirements for renewal of the certificate.
 - C. The burden to reinstate certificate that has been suspended is on the certificate holder.
 - D. Conditions.
 - 1. When the terms of the suspension did not include conditions:
 - a. The EPSB staff will reinstate the certificate and remove the reference to the suspension from to the EPSB website.
 - b. The EPSB staff will notify the certificate holder in writing to the home address on file with the EPSB that the certificate has been reinstated.
 - c. The EPSB will notify the school district that employs the certificate holder.
 - 2. When the terms of the suspension included conditions:
 - a. The burden to reinstate the certificate holder's certificate is on the certificate holder.
 - b. The EPSB staff will review the file to determine if the certificate holder has submitted evidence demonstrating that the conditions of suspension were met.
 - c. The EPSB staff will reinstate the certificate after the suspension period is concluded and remove from any reference to the suspension from EPSB's website once the certificate holder has provided evidence that the conditions of suspension have been met.

- E. The record of suspension as well as reinstatement of the certification shall become part of the educator's official certification records, but the suspension will not be noted on any future certificate issued to the certificate holder.
- II. Reinstatement of a suspended certificate for misconduct involving the illegal use of controlled substance as defined in KRS 218A.010(5).
- A. In addition to conditions for reinstatement or reissuance set forth above, the certificate holder shall, at the certificate holder's own expense, provide written evidence that the certificate holder has submitted to a drug test administered by a drug testing facility approved by the Education Professional Standards Board within thirty (30) days of reinstatement or submission of an application for reissuance of the certificate.
 - B. The certificate holder shall arrange for the drug testing facility to send the results of the drug test directly to the Education Professional Standards Board.
 - C. A certificate holder subject to the terms of this subsection may petition the Education Professional Standards Board to approve a drug testing facility of the certificate holder's choice.
 - 1. Petition to Approve Drug Testing Facility. The petition shall contain the following information:
 - a. The drug testing facility's name and location;
 - b. The name and telephone number for the director of the facility;
 - c. The method of test specimen collection;
 - d. The drug testing facility's method of assuring identity of the test subject;
 - e. Procedures for testing specimens, including forensic testing methods; and
 - f. Chain of custody protocols.
 - 2. The Drug Testing Facility must test at a minimum the following controlled substances:
 - a. Marijuana;
 - b. Cocaine;
 - c. Opiates;
 - d. Amphetamines;
 - e. Phencyclidine;
 - f. Morphine;
 - g. MDMA (Ecstasy);
 - h. Methadone;
 - i. Benzodiazepines;
 - j. Barbiturates; and
 - k. Oxycodone.
 - D. If the results of the drug test indicate drug use by the certificate holder, the certificate shall not be reinstated or reissued.

Education Professional Standards Board

**PROCEDURES RELATING TO BOARD ACTION ON
CERTIFICATE HOLDER'S CERTIFICATION –**

Section 9

Procedure for the Reissuance of a Certificate After Surrender or Revocation

APPROVED_____

- I. When surrender or revocation was for a reason other than misconduct involving the illegal use of controlled substance as defined in KRS 218A.010(5), the following conditions apply:
 - A. The former certificate holder must complete the same application that all educators in Kentucky must complete to obtain certification;
 - B. The former certificate holder bears the burden of proving that the certificate holder is fit for practice.
 - C. The former certificate holder must satisfy all current educational requirements for the certificate sought.
 - D. The Education Professional Standards Board may include terms and conditions that the board reasonably deems appropriate as a condition of reissuance in accordance with KRS 161.120(11)(b) if reissuing the certificate.
- II. When surrender or revocation was for misconduct involving the illegal use of controlled substance as defined in KRS 218A.010(5), the former certificate holder must comply not only with the requirements set forth above for reissuance of certification after revocation for all other offenses, the former certificate holder will also have to submit to drug testing as set out in the procedures for suspension resulting from illegal use of controlled substances.
- III. Regardless of the reason for the revocation, the revocation will be noted on the certificate that is issued and will remain on the EPSB website.
- IV. The record of surrender or revocation as well as reissuance shall become part of the educator's official certification records.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item E

Action Item:

16 KAR 1:030. Procedures for Certificate Revocation, Suspension, Reinstatement and Reissuance, and Application Denial, Amendment, Final Action

Applicable Statutes and Regulation:

KRS 161.028(1), 161.120, 218A.010 (6)

Applicable Goal(s):

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 Board amend 16 KAR 1:030, Procedures for Certificate Revocation, Suspension, Reinstatement and Reissuance, and Application Denial, Amendment, Final Action?

Background:

The Board requested that this regulation be amended to improve clarity and increase efficiency. This action item was presented to the Board at the June 2016 meeting for its consideration and review. Since that time, the EPSB Executive Director and General Counsel shared the draft regulation with stakeholders and those stakeholders provided feedback. Based on that feedback, the Executive Director and General Counsel made some minor revisions to the regulation to provide more clarity. The additional changes based on stakeholder feedback have been included in bold print.

Groups/Persons Consulted:

Kevin Brown, Kentucky Department of Education
Mary Ruble, Kentucky Education Association
Tom Shelton, Kentucky Association of School Superintendents
Wayne Young, Kentucky Association of School Administrators

Potential Actions:

1. Approve amendments to 16 KAR 1:030, Procedures for Certificate Revocation, Suspension, Reinstatement and Reissuance, and Application Denial, Amendment, Final Action.
2. Do not approve amendments to 16 KAR 1:030, Procedures for Certificate Revocation, Suspension, Reinstatement and Reissuance, and Application Denial, Amendment, Final Action.
3. Modify amendments to 16 KAR 1:030, Procedures for Certificate Revocation, Suspension, Reinstatement and Reissuance, and Application Denial, Amendment, Final Action.

Staff Recommendation:

Staff Recommendation 1

Rationale:

The Board should approve the proposed amendments to 16 KAR 1:030, Procedures for Certificate Revocation, Suspension, Reinstatement and Reissuance, and Application Denial, Amendment, Final Action to improve the effectiveness and efficiency of the disciplinary process.

Contact Person:

Ms. Lisa Lang, General Counsel
Division of Executive Office
502-564-4606
E-mail: Lisa.Lang@ky.gov

Date:

August 15, 2016

Agenda Book

1 EDUCATION AND WORKFORCE DEVELOPMENT CABINET

2 Education Professional Standards Board

3 (Amendment)

4 16 KAR 1:030. Procedures for certificate surrender, revocation, suspension, reinstatement and
5 reissuance, 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
9 Education Professional Standards Board to establish standards and requirements for obtaining
10 and maintaining a teaching certificate. KRS 161.175(2) authorizes the Education Professional
11 Standards Board to promulgate administrative regulations requiring an educator [~~a teacher~~]
12 whose certificate has been suspended or revoked by the Education Professional Standards Board
13 because the educator [~~the teacher~~] engaged in misconduct involving the illegal use of controlled
14 substances to submit to drug testing. This administrative regulation identifies the conditions for
15 initiating a disciplinary action against a teaching [~~or administrative~~] certificate and establishes
16 procedures for certificate reinstatement, reissuance, and application denial.

17 Section 1. Purpose. (1) In order to support the mission the Education Professional
18 Standards Board (EPSB), the EPSB may take action against a certificate holder's certificate in an
19 effort:

20 (a) To ensure that a certificate holder has an understanding of an educator's professional
21 duties and responsibilities; and

1 (b) To protect students, parents of students, school personnel, or school officials. (2) The
2 Board may take action against any certificate issued under KRS 161.010 to 161.100 for any of
3 the reasons set forth in KRS 161.120(1).

4 Section 2. Complaints and Reports. (1) A complaint may be made by any person,
5 organization, or entity. The complaint shall be in writing and shall be signed by the person
6 offering the complaint. The complaint shall be sent to the offices of the EPSB. The complaint
7 shall contain:

8 (a) The name, phone number, and address of the person making the complaint, and the name
9 of the certificate holder against whom the complaint is made. If known, the person making the
10 complaint should include the address of the school district where the certificate holder works;
11 and

12 (b) A clear and concise description of the issues of fact.

13 (2) A report shall be sent to the EPSB by superintendents of local school districts pursuant to
14 KRS 161.120(2)(a).

15 (a) A superintendent's duty to report includes the reporting of criminal convictions
16 discovered by the district pursuant to KRS 160.380 even if the conviction occurred prior to the
17 date the certificate holder's certification was issued.

18 (b) The superintendent or the superintendent's designee shall have thirty (30) days from the
19 date that superintendent receives notice of the criminal conviction to report that criminal
20 conviction to the EPSB pursuant to KRS 161.120(2)(a).

21 (3) EPSB staff will do an initial review of all complaints and reports to determine whether
22 there is sufficient credible evidence that a violation of KRS 161.120(1) may have occurred. If

1 the report or complaint contains sufficient credible evidence that a violation of KRS 161.120(1)
2 may have occurred, EPSB staff will open a file and assign that file a number.

3 (a) The ESBP staff shall send a copy of these complaints and reports by certified mail to the
4 certificate holder's address on file with EPSB.

5 (b) The certificate holder shall have the right to file a rebuttal with the EPSB within thirty
6 (30) calendar days from the date the certificate holder receives the complaint or report from the
7 EPSB.

8 (c) Upon receipt of the certificate holder's rebuttal or return of the notice as undeliverable,
9 EPSB staff shall add the case to the EPSB's Docket and prepare the file for Board review by
10 redacting all certificate holder identifiers.

11 (d) The Board shall determine whether the nature and quality of the alleged violation
12 warrants dismissal, training, admonishment, further investigation, or initiation of a hearing.

13 (e) In making its determination, the Board shall consider if the allegation, if proven, would
14 warrant sanction by the Board.

15 (f) When making a determination as to the level of sanctions warranted, the Board may
16 consider the following factors:

- 17 1. The seriousness of the alleged violation;
- 18 2. Whether the alleged violation was premeditated or intentional;
- 19 3. Whether an attempt to conceal the alleged violation was made;
- 20 4. Whether there were any prior violations;
- 21 5. Whether training is appropriate to prevent further violations;
- 22 6. Whether the sanction is necessary to deter future violations; or
- 23 7. Other relevant circumstances or facts.

Agenda Book

1 (4)(a) If the Board determines that sanctions are warranted, the Board shall refer the matter to
2 hearing.

3 (b) If the Board refers the matter to hearing, the Board shall, by majority vote, approve
4 the issuance a Notice of Hearing and the Statement of Charges. The Statement of Charges shall
5 include specific reasons for the Board's proposed action, including the:

6 1. Statutory or regulatory violation;

7 2. Factual basis on which the disciplinary action is based; and

8 3. Penalty sought;

9 (c) The parties may agree to resolve the matter informally at any time. Any agreement to
10 resolve the matter informally shall be memorialized in an Agreed Order and approved by the
11 Board. The Agreed Order shall be signed by the respondent, the respondent's attorney, and the
12 Board chair.

13 (d) The EPSB staff shall initiate the hearing process within thirty (30) days after the Board
14 refers the matter to hearing.

15 Section 3. (1) The hearing shall be held in accordance with KRS Chapter 13B.

16 (2) Either party may be entitled to a reasonable continuance of the hearing date for good
17 cause.

18 (3) The respondent may request in writing a private hearing.

19 (a) If the respondent fails to specifically request a private hearing in writing, the respondent
20 is deemed to have waived the right to a private hearing.

21 (b) Even if the respondent elects to proceed with a private hearing, the hearing transcript
22 will be subject to disclosure after the Board issues its final decision unless exempt from
23 disclosure by law.

1 (c) All hearings shall be conducted in the office so the Education Professional Standards
2 Board, 100 Airport Road, Frankfort, Kentucky 40601 unless a new location is agreed upon by
3 the parties.

4 (4) The hearing officer's recommended order shall include a discussion of the factors set
5 forth in Section 2, subsection (3)(f) when recommending sanctions.

6 (5) A party may file any exceptions to the recommended order within 15 calendar days after
7 receiving the recommended order.

8 (a) This time limit may not be extended and no responses to exceptions shall be considered
9 by the Board.

10 (b) Any disagreement with a factual finding or conclusion of law in the recommended order
11 not contained in the exceptions shall be waived.

12 Section 4. Final Decision. (1) In making its final decision, the Board shall consider the
13 record including the recommended order and any exceptions filed.

14 (2) After the Board chair certifies that a quorum is present, a majority of the voting members
15 present shall be required to make a final decision on the recommended order, Agreed Order, or
16 request for the issuance of an Order of Default Judgment.

17 (3) The Board may delegate to the Board chair the authority to sign a decision made or order
18 issued under this section on behalf of a majority of the Board members.

19 Section 5. Procedure for Suspension, Surrender, or Revocation of a Certificate. (1) When
20 the Board issues a final decision, the EPSB staff shall mail a copy of the final decision to the
21 person who formerly held the certificate to the address on file with the Education Professional
22 Standards Board.

Agenda Book

1 (2) A record of board action shall become part of the person's official records maintained by
2 EPSB staff.

3 (3) Immediately following the issuance of the Board's final decision, the EPSB staff shall
4 notify the reporting parties of the action taken.

5 (4) EPSB staff will also ensure that the suspension, surrender, or revocation is noted on its
6 website.

7 (5) EPSB staff will also ensure that the information is provided to the National Association
8 of State Directors and Teacher Education and Certification (NASDTEC) for inclusion in the
9 NASDTEC Clearinghouse. The Clearinghouse is a searchable database administered by
10 NASDTEC relating to educator certification and discipline.

11 Section 6. Procedure for Reinstatement of a Suspended Certificate. (1) Reinstatement of a
12 suspended certificate for reasons other than misconduct involving the illegal use of controlled
13 substance as defined in KRS 218A.010(5)).

14 (a) A certificate that has been suspended by the EPSB shall not be reinstated until the
15 certificate holder has met all conditions and requirements ordered by the EPSB.

16 (b) If a certificate lapses during a period of suspension, the certificate holder shall apply for
17 renewal of the certificate at the end of the suspension period. The Board shall renew the
18 certification if the certificate holder has met all educational requirements for renewal and has
19 completed all of the conditions and requirements ordered by the Board.

20 (c) The burden to initiate the process to reinstate a suspended certificate is on the certificate
21 holder.

1 1. When the suspension does not include conditions, the EPSB staff will reinstate the
2 certificate and remove all references of the suspension from the website at the conclusion of the
3 suspension period.

4 2. When the suspension includes conditions, the burden to reinstate the certificate holder's
5 certificate is on the certificate holder.

6 a. The EPSB will reinstate the certificate at the conclusion of the suspension period once it
7 has been determined that the certificate holder has submitted evidence demonstrating that the
8 conditions of suspension were met;

9 b. The EPSB shall remove from its website any reference to the suspension once the
10 certificate holder has provided evidence that the conditions of suspension have been met.

11 (d) The record of suspension as well as reinstatement of the certification shall become part of
12 the educator's official certification records, but will not be referenced on any certificate
13 subsequently issued to the certificate holder.

14 (2) Reinstatement of a suspended certificate for misconduct involving the illegal use of
15 controlled substance as defined in KRS 218A.010(5)).

16 (a) In addition to conditions for reinstatement or reissuance set forth above, the certificate
17 holder shall provide written evidence that the certificate holder has submitted to a drug test at the
18 certificate holder's own expense administered by a drug testing facility approved by the Board
19 within thirty (30) days of reinstatement or submission of an application for reissuance of the
20 certificate.

21 (b) The certificate holder shall arrange for the drug testing facility to send the results of the
22 drug test directly to the EPSB.

1 (c) A certificate holder subject to the terms of this subsection may petition the EPSB to
2 approve a drug testing facility of the certificate holder's choice.

3 1. Petition to Approve Drug Testing Facility. The petition shall contain the following
4 information:

5 i. The drug testing facility's name and location;

6 ii. The name and telephone number for the director of the facility;

7 iii. The method of test specimen collection;

8 iv. The drug testing facility's method of assuring identity of the test subject;

9 v. Procedures for testing specimens, including forensic testing methods; and

10 vi. Chain of custody protocols.

11 2. The Drug Testing Facility must test at a minimum the following controlled substances:

12 i. Marijuana;

13 ii. Cocaine

14 iii. Opiates;

15 iv. Amphetamines;

16 v. Phencyclidene;

17 vi. Morphine;

18 vii. MDMA (Ecstasy);

19 viii. Methadone;

20 ix. Benzodiazepines;

21 x. Barbiturates; and

22 xi. Oxycodone.

1 (d) If the results of the drug test indicate illegal drug use by the certificate holder, the
2 certificate shall not be reinstated or reissued.

3 Section 7. Procedure for Reissuance of a Certificate after Revocation. (1) When revocation
4 was for reasons other than misconduct involving the illegal use of controlled substance as
5 defined in KRS 218A.010(5), the following conditions apply:

6 (a) The former certificate holder must complete the same application that all educators in
7 Kentucky must complete to obtain certification;

8 (b) The former certificate holder bears the burden of proving that the certificate holder is fit
9 for practice;

10 (c) The former certificate holder must satisfy all current educational requirements for the
11 certificate sought.

12 (d) The Education Professional Standards Board may include terms and conditions that the
13 Board reasonably deems appropriate as a condition of reissuance in accordance with KRS
14 161.120(11)(b) if reissuing the certificate.

15 (2) When revocation was for misconduct involving the illegal use of controlled substance as
16 defined in KRS 218A.010(5), the former certificate holder must comply not only with the
17 requirements set forth above for reissuance of certification after revocation for all other offenses,
18 the former certificate holder will also have to submit to drug testing as set out in the procedures
19 for suspension resulting from illegal use of controlled substances.

20 (3) Regardless of the reason for the revocation, the revocation will be noted on the certificate
21 that is issued and will remain on the EPSB website.

22 ~~[Section 1. Initiating Disciplinary Action Against a Certificate. The Education Professional~~
23 ~~Standards Board may initiate disciplinary action against a Kentucky teaching or administrative~~

1 ~~certificate upon receipt from any source of a report or complaint which contains allegations that~~
2 ~~an individual who holds a Kentucky teaching or administrative certificate has engaged in~~
3 ~~conduct listed in KRS 161.120(1).~~

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

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

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

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

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

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

22 ~~(6)(a) If a certificate is suspended or revoked because the certificate holder engaged in~~
23 ~~misconduct involving the illegal use of a controlled substance as defined in KRS 218A.010(5), in~~

Agenda Book

1 ~~addition to conditions for reinstatement or reissuance, the certificate holder shall at the certificate~~
2 ~~holder's own expense provide written evidence that the certificate holder has submitted to a drug~~
3 ~~test administered by a drug testing facility approved by the Education Professional Standards~~
4 ~~Board within thirty (30) days of reinstatement or submission of an application for reissuance of~~
5 ~~the certificate.~~

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

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

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

12 ~~1. Marijuana;~~

13 ~~2. Cocaine;~~

14 ~~3. Opiates;~~

15 ~~4. Amphetamines;~~

16 ~~5. Phencyclidine;~~

17 ~~6. Morphine;~~

18 ~~7. MDMA (Ecstasy);~~

19 ~~8. Methadone;~~

20 ~~9. Benzodiazepines;~~

21 ~~10. Barbiturates; and~~

22 ~~11. Oxycodone.~~

Agenda Book

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

3 ~~2. The petition shall contain the following information:~~

4 ~~a. The drug testing facility's name and location;~~

5 ~~b. The name and telephone number for the director of the facility;~~

6 ~~c. The method of test specimen collection;~~

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

8 ~~e. Procedures for testing specimens, including forensic testing methods; and~~

9 ~~f. Chain of custody protocols.]~~

10 Section 8. Denial of Application for a Certificate. If the Board denies an individual's application
11 for a Kentucky teaching [~~or administrative~~] certificate pursuant to this administrative regulation,
12 the applicant may file an appeal in accordance with KRS 161.120(5)(a)2.

Agenda Book

Date

Anthony Strong, Chair
Education Professional Standards Board

DRAFT

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on October 21, 2016, at 1:00 p.m. at 100 Airport Road, Third Floor, Frankfort, Kentucky 4060. 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. This 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 November 2, 2016. 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: Lisa K. Lang, General Counsel, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601, LisaK.Lang@ky.gov, telephone number (502) 782-2147, and facsimile (502) 564-7080.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation Number: 16 KAR 1:030

Contact Person: Lisa K. Lang, Phone 502-782-2147, Email LisaK.Lang@ky.gov

(1) Summary of 16 KAR 1:030

(a) What this administrative regulation does:

This administrative regulation identifies the conditions for initiating a disciplinary action against a teaching certificate and establishes procedures for certificate suspension, surrender, revocation, reinstatement, reissuance, and application denial.

(b) The necessity of this administrative regulation:

KRS 161.028(1) authorizes the Education Professional Standards Board to establish standards and requirements for obtaining and maintaining a teaching certificate. KRS 161.175(2) authorizes the Education Professional Standards Board to promulgate administrative regulations requiring an educator whose certificate has been suspended or revoked by the Education Professional Standards Board because the educator engaged in misconduct involving the illegal use of controlled substances to submit to drug testing. This administrative regulation also identifies the conditions for initiating a disciplinary action against a teaching certificate and establishes procedures for certificate suspension, surrender, revocation, reinstatement, reissuance, and application denial.

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

KRS 161.028(1) authorizes the Education Professional Standards Board to establish standards and requirements for obtaining and maintaining a teaching certificate. KRS 161.175(2) authorizes the Education Professional Standards Board to promulgate administrative regulations requiring an educator whose certificate has been suspended or revoked by the Education Professional Standards Board because the educator engaged in misconduct involving the illegal use of controlled substances to submit to drug testing.

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

This administrative regulation sets forth the process for initiating a disciplinary action against a teaching certificate and establishes procedures for certificate suspension, surrender, revocation, reinstatement, reissuance, and application denial.

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

(a) How the amendment will change this existing administrative regulation:

This amendment further clarifies the EPSB's procedures for certificate suspension, surrender, revocation, reinstatement, reissuance, and application denial and will ensure the efficient processing of complaints and reports filed against certificate holders.

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

This amendment reflects changes the EPSB is making to its procedures for certificate suspension, surrender, revocation, reinstatement, reissuance, and application denial and will ensure the efficient processing of complaints and reports filed against certificate holders to ensure that certificate holders have an understanding of an educator's professional duties and responsibilities and to protect students, parents of students, school personnel, or school officials.

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

KRS 161.028(1) authorizes the Education Professional Standards Board to establish standards and requirements for obtaining and maintaining a teaching certificate. KRS 161.175(2) authorizes the Education Professional Standards Board to promulgate administrative regulations requiring a teacher whose certificate has been suspended or revoked by the Education Professional Standards Board because the teacher engaged in misconduct involving the illegal use of controlled substances to submit to drug testing.

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

This amendment further clarifies the EPSB's procedures for certificate suspension, surrender, revocation, reinstatement, reissuance, and application denial and will ensure the efficient processing of complaints and reports filed against certificate holders.

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

This administrative regulation will affect applicants seeking teaching certifications, educators currently holding certificate, and superintendents for the 173 Kentucky public school districts that employ educators holding certifications.

(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:

This administrative regulation sets forth the actions an applicant that has been denied a teaching certificate must take in order to challenge a denial of a certificate.

Agenda Book

This administrative regulation sets forth the actions an educator may take if the Education Professional Standards Board initiates action against that educator's certificate.

This administrative regulation sets forth the actions a superintendent must take when that superintendent becomes aware of violations of KRS 161.028. This amended regulation also makes clear that superintendents have a duty to report criminal convictions discovered by the district pursuant to KRS 160.380 even if the conviction occurred prior to the date the certificate holder's certification was issued.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

There is no cost associated with this amendment.

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

This amendment will ensure that applicants for teaching certification and educators currently holding teaching certifications receive due process. This amendment will also support the superintendents in the 173 school districts in Kentucky in their efforts to protect the students in their charge.

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

(a) Initially:

N/A

(b) On a continuing basis:

N/A

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

Funding used for the implementation and enforcement of this administrative regulation comes from certification fees.

(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:

There is nothing in this administrative regulation that will result in an increase in fees.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

Agenda Book

This administrative regulation does not establish fees.

(9) TIERING: Is tiering applied? Tiering is not applicable to the requirements of this regulation. This regulation applies to all applicants for certification and current certificate holders equally.

DRAFT

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 16 KAR 1:030

Contact Person: Lisa K. Lang, Phone: (502) 782-2147, Email: LisaK.Lang@ky.gov

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?

There will be some impact on superintendents of the 173 school districts in Kentucky.

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

KRS 161.028(1) and KRS 161.175(2).

3. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

There should be no effect.

(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?

No revenue will be generated.

(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?

No revenue will be generated.

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

Currently, the EPSB spends approximately \$518,000.00 per year to process complaints and reports against educators holding a certification.

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

The EPSB hopes to reduce the administrative costs associated with the processing of complaints and reports against educators holding a certification as a result of the EPSB's efforts to streamline the complaint and report process.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item F

Action Item:

Kentucky Teacher Internship Program (KTIP) Appeals

Applicable Statutes and Regulation:

KRS 161.030
16 KAR 7:010, Section 8

Applicable Goal:

Goal 4: Every credentialed educator participates in a high quality induction into the profession and approved educational advancement programs that support effectiveness in helping all students achieve.

Issue:

Should the Education Professional Standards Board approve the recommendations of the Kentucky Teacher Internship Program (KTIP) Appeals Committee?

Background:

Pursuant to Section 8 of 16 KAR 7:010, a teacher intern may appeal the decision of the beginning teacher committee. Appeals by teacher interns must be reviewed by a committee of four persons—one teacher, one principal, one teacher educator, and the Executive Director of the EPSB or his/her designee. The Appeals Committee reviews the written appeal by the teacher intern, all beginning teacher committee reports, any additional documentation that accompanied the final report, any written responses from the members of the beginning teacher committee, and all other relevant information requested by the Appeals Committee.

The Appeals Committee may recommend that the EPSB uphold the final decision of the internship as unsuccessful, not uphold the final decision of the internship as unsuccessful, or nullify the final decision because of procedural errors, allowing the intern two additional opportunities to successfully complete the internship.

The recommendations made by the Appeals Committee will be sent with the addendum materials.

Potential Actions:

1. Approve the Appeals Committee recommendations.
2. Do not approve the Appeals Committee recommendations.

Staff Recommendation:

Potential Action 1

Rationale:

The EPSB considers the Appeals Committee's recommendations, reviews the records, and issues a final decision on each case. The Appeals Committee followed proper review procedures under the guidance of an EPSB attorney and the staff believes the recommendations are sound.

Contact Person:

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

Ms. Cassie Trueblood, Staff Attorney II
Division of Legal Services
(502) 564-4606
E-mail: Cassie.Trueblood@ky.gov

Date:

August 15, 2016

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

Action Item:

University of Kentucky: 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 the University of Kentucky?

Background:

A joint NCATE/state Board of Examiners (BOE) team conducted the on-site evaluation of the Educator Preparation Unit at the University of Kentucky on November 15 – 17, 2015. The joint BOE team found all standards were met and recommended one area for improvement (none corrected, none continued, and one new). 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. On July 12, 2016, 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, the On-Site BOE Report, the BOE Report Rejoinder, and the Team Chair's Response to the Rejoinder.

Corrected Areas for Improvement

None

Continued Area for Improvement

None

New Areas for Improvement

(Advanced) The unit does not systematically and comprehensively monitor candidate performance at the transition points for all advanced programs.

The AAC reviewed the area for improvement cited in the BOE Report and revised NCATE Action Report. The AAC accepted the BOE recommendations on the areas for improvement and the findings that all NCATE accreditation standards are met. Pursuant to 16 KAR 5:010, Section 19, the AAC recommends: (1) ACCREDITATION and (2) APPROVAL OF THE INITIAL AND ADVANCED LEVEL EDUCATOR PREPARATION PROGRAMS at the University of Kentucky.

Groups/Persons Consulted

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

Potential Actions:

Issue One: Unit Accreditation

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

Issue Two: Program Approval

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

AAC Recommendation:

Issue One: Potential Action 1

Issue Two: Potential Action 1

Rationale:

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

Contact Person:

Dr. Ben Boggs, Director
Division of Educator Preparation
(502) 782-2145
E-mail: Ben.Boggs@ky.gov

Date:

August 15, 2016

Accreditation Audit Committee (AAC)

**Education Professional Standards Board
Conference Room A
July 12, 2016**

MEETING MINUTES

Members Present:

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

EPSB Staff Present:

Allison Bell
Ben Boggs
Lauren Graves
Lisa Lang

Members Absent:

Aimee Green

DRAFT

The meeting began at 8:30 a.m. with announcements and general welcome. An update on the CAEP standards was presented and the one-page documents for the initial and advanced standards were provided to each AAC member. It was announced that EPSB is seeking to invite Stevie Chepko and Kim-Walters Parker to provide training to the AAC during a December meeting.

Lisa Lee motioned to approve the December 2015 meeting minutes, which was seconded by Dara'Su Stevens. The December 2015 meeting minutes were approved unanimously (6-0).

The AAC members reviewed 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:

UNIVERSITY OF KENTUCKY (UK)

Ms. Allison Bell clarified a change to the NCATE accreditation letter and action report sent to UK.

Dr. Paul Erickson served as co-chair of the joint NCATE/state team and presented the report on behalf of the BOE team. Dr. Erickson provided an overview of the accreditation visit by identifying the state team members and providing a summary of the team's recommendations. He stated that the UK College of Education was well organized, very professional, and very prepared for the visit. Dr. Erickson identified and explained the recommended area for improvement in Standard 2. Copies of the revised

documents were provided to committee members. He also reported that UK had identified Standard 3 as the standard the unit was focusing its efforts to move from the acceptable level to the target level in the NCATE standards rubric. The BOE team found the unit demonstrated a developing level of moving toward target in the initial and advanced level programs. Dr. Erickson reported that the BOE team recommended all six standards as met at both the initial and advanced levels with one new area for improvement in Standard 2: Assessment System and Unit Evaluation. There were no corrected or continued areas for improvement

University of Kentucky College of Education representatives present were Dr. Mary John O'Hair, Dean of the College of Education; Dr. Rosetta Sandidge, Senior Associate Dean for Academic Programs, Accreditation, and Planning, who served as the NCATE Visit Coordinator; and Dr. Gary Schroeder, Director of Certification and Student Services. Dr. Sandidge presented on behalf of UK. She reported that the team was prepared and thorough as the Off-Site Report had indicated. She stated that the unit recognizes the value of the process and the review. Dr. O'Hair commented on the professionalism of the team. She acknowledged the effectiveness of the program faculties' structure as part of the unit's assessment process and identified it as a strength of UK's programs. Dr. Schroeder spoke to the value of their involvement in the application of the EPSB's new program design. Dr. Sandidge spoke to the area for improvement indicating that while both the School Social Work program and the School Psychologist (Specialist) programs have assessment systems and use data, neither program was using the unit's assessment system. She reported that both programs are transitioning to use the unit's assessment system.

Dr. Evans asked for clarification regarding some statements made in the BOE Report in Section 3.1 relating to the inconsistent use of technology and Section 1.1 relating to professional dispositions in some advanced programs. Dr. Erickson indicated that both statements were related to the area for improvement cited in Standard 2.

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

Corrected Areas for Improvement

Not Applicable

Continued Areas for Improvement

Not Applicable

New Areas for Improvement

Standard 2: Assessment System and Unit Evaluation

(Advanced) The unit does not systematically and comprehensively monitor candidate

performance at the transition points for all advanced programs.

Rationale: There was insufficient evidence to evaluate the unit's efforts to monitor candidate performance for some advanced programs such as the School Psychology and School Social Worker programs. The unit shared in the IR and during on-site interviews that all initial and advanced programs utilized the OTIS system to collect candidate performance data. A review of the system with the Assistant Dean for Program Assessment revealed most programs assessed candidates at transition points on measures aligned to the conceptual framework, profession, and state standards. This review failed to yield these types of data for the School Psychology and School Social Worker programs.

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 new area 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 the initial and advanced level programs at the University of Kentucky (Vote: 6-0).

BRESCIA UNIVERSITY (BU)

Ms. Brenda McGown, who served as the team chair, presented the team findings for BU. She provided an overview of the team members and a summary of the conceptual framework, and the corrected, continued and new areas for improvement. She stated the team recommended that all standards were met. Brescia University was represented by Dr. Ashley Holland, Chair of the School of Education, Dr. Patricia Akojie, Dr. Marlaime Chase, Ms. Tina Wolken, and Mr. Britton Hibbitt. Dr. Holland responded to the AAC questions. The AAC members asked Dr. Holland to clarify the process for admission to the program, specifically addressing whether candidates could take restricted courses without being admitted to the program. The AAC also sought clarification regarding BU's efforts to establish reliability, validity and fairness of the assessments and the assessment process. Dr. Evans suggested that BU needs to document their efforts to demonstrate how fairness in the assessments is addressed. There was discussion regarding the limited evidence of scholarship of unit faculty. Ms. Jenkins asked for clarification regarding the reliance on and use of student workers as support personnel for the unit. Dr. Holland reported that student workers have limited responsibilities regarding the assessment system. They primarily were responsible for organizing files, answering the phone, and taking messages for faculty. Prior to each work assignment the student workers sign a confidentiality statement. There was also discussion regarding the temporary worker reported in the BOE Report. Dr. Chase clarified that the temporary employee had been a long time staff person in the School of

Education office who had left the institution. She was employed temporarily to assist in training the person who had been hired. The AAC also asked about the budget allocations, specifically related to the Curriculum Resource Center (CRC). Dr. Holland reported that they do actively seek grants to support their work. At the time of the visit, BU had applied for a grant to support the technology needs of the CRC. The grant request was approved so funds that had been targeted for the CRC were diverted to other identified needs.

Dr. Wheeler stated that most units submit a rejoinder to the BOE Report and she was curious why BU had decided to not submit one. Dr. Holland reported that the information provided in the BOE Report was accurate and she did not feel any clarifications were needed. Dr. Holland reported BU has changed some of the faculty teaching assignments to ensure that all candidates, even transfer students, will have experiences with a diverse faculty member. Dr. Holland also gave updates regarding candidate diversity in the unit since the visit. Some of the diverse students who were identified as pre-candidates have changed majors while some continue to seek admission to the School of Education. Dr. Holland also discussed university plans to recruit and retain diverse students. They are working to identify student needs and provide academic services. The university has developed a "Grow Your Own" program where local high school students are taking college introduction courses (i.e., ENG 101/102) on BU's campus daily and earning college credit.

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) The AAC reviewed each of the corrected areas for improvement and voted (5-1; Dr. Evans dissented on Standard 2 AFI regarding fairness in the assessment system) to accept the recommendations of the BOE team as cited in the BOE Report:

Corrected Areas for Improvement

Standard 1: Candidate Knowledge, Skills, and Professional Dispositions

(Initial and Advanced) Dispositions for all candidates are not clearly defined or communicated to all stakeholders.

The programs did not demonstrate compliance with the EPSB Program Guidelines prior to the on-site visit.

Standard 2: Assessment System and Unit Evaluation

(Initial and Advanced) It is unclear how data are used to improve unit and program operations.

(Initial and Advanced) Data analyses are not systematic, clearly linked to program and unit improvement, or aligned with the Kentucky Teacher Standards.

(Initial and Advanced) There is no direct structure for eliminating bias or demonstrating fairness and consistency in the unit assessment system.

(Initial and Advanced) The unit does not consistently display three years of data.

Standard 4: Diversity

(Initial and Advanced) The unit has not articulated candidate proficiencies related to diversity.

(Initial and Advanced) Assessment instruments do not generate data to provide feedback to the unit and the candidates for improving their knowledge, skills, and professional dispositions for helping diverse learners.

(Initial and Advanced) The unit has not demonstrated good faith efforts to increase or maintain a pool of candidates from diverse ethnic/racial groups.

Standard 6: Unit Governance and Resources

(Initial and Advanced) The budget for the Curriculum Resources Center is insufficient.

(Initial and Advanced) An inadequate number of support personnel limit faculty effectiveness and unit efficiency.

The AAC reviewed each of the continued areas for improvement and voted (6-0) to accept the recommendations of the BOE team as cited in the BOE Report.

Continued Areas for Improvement

Standard 4: Diversity

(Advanced) The unit lacks a racially diverse student body.

(Initial) The unit does not ensure candidates have opportunities to work with diverse faculty.

The AAC reviewed each of the new areas for improvement and voted (5-1; Ms. Blevins dissented) to not accept the recommendations of the BOE team as cited in the BOE Report. The AAC accepts the new area for improvement identified in the BOE Report and recommended an additional area for improvement:

New Areas for Improvement

Standard 4: Diversity

(Initial) The unit lacks a racially diverse student body.

Standard 5: Faculty Qualifications, Performance, and Development

(Initial and Advanced) The unit provides evidence that limited professional education faculty are engaged in scholarly work.

Rationale: Most professional education faculty have not demonstrated scholarly work in their fields of specialization.

- 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 Brescia University (Vote: 6-0).

BIENNIAL REVIEW

The AAC conducted biennial reviews for three institutions – Alice Lloyd College, Kentucky State University, and Transylvania University. 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 the committee discussed upcoming plans for training during the regular December meeting date. The following dates were identified as prospective meeting dates – November 29, 30, December 1 or 2. December 2 was identified as the preferred date.

The meeting adjourned at 2:30 p.m.

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

Action Item:

Brescia 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 Brescia University?

Background:

A state Board of Examiners (BOE) team conducted the probationary visit of the Educator Preparation Unit at Brescia University on February 14 – 17, 2016. The BOE team found all standards were met with two corrected areas for improvement in Standard 1, four corrected in Standard 2, three corrected in Standard 4, and two corrected in Standard 6. The BOE team identified two continued areas for improvement in Standard 4 as well as one new area for improvement in Standard 4. 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. On July 12, 2016, the Accreditation Audit Committee (AAC) met (see minutes) and reviewed the accreditation materials including the Institutional Report and the BOE Report. Brescia University did not submit a rejoinder.

The AAC reviewed all the following areas for improvement cited in the BOE Report:

Corrected Areas for Improvement

Standard 1: Candidate Knowledge, Skills, and Professional Dispositions

- 1) (Initial and Advanced) Dispositions for all candidates are not clearly defined or communicated to all stakeholders.

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- 2) The programs did not demonstrate compliance with the EPSB Program Guidelines prior to the on-site visit.

Standard 2: Assessment System and Unit Evaluation

- 1) (Initial and Advanced) It is unclear how data are used to improve unit and program operations.
- 2) (Initial and Advanced) Data analyses are not systematic, clearly linked to program and unit improvement, or aligned with the Kentucky Teacher Standards.
- 3) (Initial and Advanced) There is no direct structure for eliminating bias or demonstrating fairness and consistency in the unit assessment system.
- 4) (Initial and Advanced) The unit does not consistently display three years of data.

Standard 4: Diversity

- 1) (Initial and Advanced) The unit has not articulated candidate proficiencies related to diversity.
- 2) (Initial and Advanced) Assessment instruments do not generate data to provide feedback to the unit and the candidates for improving their knowledge, skills, and professional dispositions for helping diverse learners.
- 3) (Initial and Advanced) The unit has not demonstrated good faith efforts to increase or maintain a pool of candidates from diverse ethnic/racial groups.

Standard 6: Unit Governance and Resources

- 1) (Initial and Advanced) The budget for the Curriculum Resources Center is insufficient.
- 2) (Initial and Advanced) An inadequate number of support personnel limit faculty effectiveness and unit efficiency.

Continued Area for Improvement

Standard 4: Diversity

- 1) (Advanced) The unit lacks a racially diverse student body.
- 2) (Initial) The unit does not ensure candidates have opportunities to work with diverse faculty.

New Areas for Improvement

Standard 4: Diversity

- 1) (Initial) The unit lacks a racially diverse student body.

The AAC accepted the BOE recommendations on the areas for improvement identified above and recommends an additional new area for improvement.

Standard 5: Faculty Qualifications, Performance, and Development

- 1) (Initial and Advanced) The unit provides evidence that limited professional education faculty are engaged in scholarly work.

The AAC accepted the BOE findings that all NCATE accreditation standards are met.

Pursuant to 16 KAR 5:010, Section 19, the AAC recommends: (1) ACCREDITATION and (2) APPROVAL OF THE INITIAL AND ADVANCED LEVEL EDUCATOR PREPARATION PROGRAMS at Brescia University.

Groups/Persons Consulted

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

Potential Actions:

Issue One: Unit Accreditation

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

AAC Recommendation:

Issue One: Potential Action 1

Issue Two: Potential Action 1

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Rationale:

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

Contact Person:

Dr. Ben Boggs, Director
Division of Educator Preparation
(502) 782-2145
E-mail: Ben.Boggs@ky.gov

Date:

August 15, 2016

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item I

Action Item:

Bellarmine University request to offer programs at two off-site locations

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.048

16 KAR 5:010, Section 28

Applicable Goal:

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

Issue:

Should the EPSB approve Bellarmine University's request to establish two off-site locations?

Background:

Regulation 16 KAR 5:010 Standards for Accreditation of Educator Preparation Units and Approval of Programs was revised in 2007 to require EPSB approval for off-site campuses established by educator preparation institutions (now called providers in the CAEP language). The regulation requires educator preparation institutions/providers to seek approval from the EPSB before establishing off-site campuses.

In April 2016 the EPSB granted approval for Bellarmine University to establish an off-site campus using the main administration building at the Oldham County Board of Education. Due to the emerging demands for the conference room at the Central Office, the Chief Academic Officer for Oldham County Schools has recommended Bellarmine University use the Oldham County Board of Education Arts Center and the Education Administrative Annex, in addition to its Central Office, to deliver its Principal P-12 (Ed.S.) program. The recommended locations provide comparable technology and facilities that will enable the district's teachers to seek certification as a P-12 principal in addition to earning an Education Specialist degree through Bellarmine University.

Resources available to candidates will be identical to those found at the Central Office. These resources include ample work space, instructional media (white boards, WIFI, projection systems and screens, audio-video equipment systems, full access to Bellarmine University's online library resources and those of Oldham County Schools, adequate free parking, food and snack vending for evening classes, and multiple handicap-accessible restroom facilities.

Potential Actions:

1. Approve the Bellarmine University request to establish the off-site locations.
2. Modify and approve the Bellarmine University request to establish the off-site locations.
3. Do not approve the Bellarmine University request to establish the off-site locations.

Staff Recommendation:

Potential Action 1

Rationale:

Bellarmine University can provide the necessary resources, advisement, and faculty to support the additional off-site locations. Candidates will have full access to instructional and technological resources.

Contact Person:

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Date:

August 15, 2016

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver Item A

Action Item:

Intent to waive 16 KAR 6:020 - Written examination prerequisites for occupation-based career and technical education teachers

Applicable Statutes and Regulation:

KRS 161.020, 161.028, 161.030
16 KAR 6:020

Applicable Goal(s):

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

Issues:

1. Should the Education Professional Standards Board waive the requirement in 16 KAR 6:020 that all applicants for occupation-based career and technical education teacher certificates without a teacher preparation degree and out-of-state applicants for occupation-based career and technical education certification with fewer than two (2) years of teaching experience must take and pass a basic skills test?
2. Should the Education Professional Standards Board waive the requirement in 16 KAR 6:020 that applicants seeking certain certifications take a specific specialty test?

Background:

Issue 1:

16 KAR 6:020 provides that all applicants for occupation-based career and technical education teacher certificates without a teacher preparation degree and out-of-state applicants for occupation-based career and technical education certification with fewer than two (2) years of teaching experience must successfully complete a basic skills test and a specialty test.

Currently, such applicants must take and pass either the Pre-Professional Skills Test (PPST) or the COMPASS Test to satisfy the basic skills test requirement.

Effective November 30, 2016, neither the PPST nor the COMPASS Test will be offered. Because applicants will be unable to take either test going forward, EPSB staff and KDE staff recommend that the EPSB waive the regulatory requirement that applicants take the PPST or the COMPASS Test to satisfy the basic skills test requirement. EPSB staff will work with KDE staff and shareholders to determine whether the basic skills assessment requirement should be eliminated or if a new assessment will be included through an amendment to the regulation.

Issue 2:

In addition to the basic skills assessment requirement, 16 KAR 6:020 also provides that all applicants for occupation-based career and technical education teacher certificates without a teacher preparation degree and out-of-state applicants for occupation-based career and technical education certification with fewer than two (2) years of teaching experience must take and pass a specific specialty test. KDE staff is requesting that the EPSB consider waiving assessment requirements for the following areas as the current assessments are out-of-date:

Certification	Current Assessment
Multimedia Technology certification	Macromedia Certified Professional OR Adobe Certified Expert
Visual Communication Art certification	NOCTI Advertising and Design OR Adobe Certified Expert

KDE anticipates seeking additional amendments to this regulation to add assessments for new and emerging programs that will require certification. The above mentioned changes to the regulation along with any additional regulation amendments will be brought forward at a future Board meeting.

Potential Actions:

1. Approve the proposed waiver for 16 KAR 6:020.
2. Approve some, but not all, of the waiver for 16 KAR 6:020.
3. Do not approve the proposed waiver for 16 KAR 6:020.

Staff Recommendation:

Staff Recommendation 1

Rationale:

The assessments need to be waived because they will no longer be available or need to be updated.

Contact Person:

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

Date:

August 15, 2016

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver B

Action Item:

Request for Waiver of Re-issuance of an Emergency Teaching Certificate

Applicable Statutes and Regulation:

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

Applicable Goal(s):

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

Issue:

Should the Education Professional Standards Board waive the requirement of issuing more than one emergency certificate to the same person?

Background:

Superintendent Ronnie Dotson on behalf of Ms. McClanahan is asking for a waiver of 16 KAR 2:120, Section 2, regarding the re-issuance of an emergency certificate to the same person. Ms. McClanahan served with an emergency certification as the West Carter High School Family and Consumer Science teacher for the 2015-2016 school year. Superintendent Dotson states the position has been posted since March 16, 2016, and they have no certified applicants.

Groups/Persons Consulted:

N/A

Potential Actions:

1. Approve the waiver request.
2. Do not approve the waiver request.

Contact Person:

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

Date:

August 15, 2016

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

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

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

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

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

Section 2. (1)(a) Until December 31, 2014, a superintendent of a local school district shall apply to the Education Professional Standards Board for an emergency teaching certificate on behalf of an applicant by completing the Form TC-4F.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver C

Action Item:

Requirements for Rank II

Applicable Statute or Regulation:

16 KAR 8:020, Section 1

Applicable Goal:

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

Issue:

Should the Education Professional Standards Board (EPSB) accept a Master of Science in Human Development and Leadership to satisfy the requirements as an acceptable graduate program for Rank II?

Background:

Mr. Steven Scudder holds a certificate for Teaching in the Middle Grades, Grades 5-9, and Earth Science 8-12. Mr. Scudder has been granted a five-renewal based on completion of 15 graduate hours. His current certification expires on June 30, 2017. Mr. Scudder is requesting a waiver by the EPSB to allow his Master of Science in Human Development and Leadership to be used for Rank II status. In accordance with 16 KAR 8:020, Section 1, an acceptable graduate degree for rank change must enhance current certification; add another area of specialization to current qualifications; or advance qualifications to administration.

Copies of Mr. Scudder's letter of rationale and documents showing the course work completed in this degree area are attached.

Potential Actions:

1. Approve the waiver request.
2. Deny the waiver request.

Contact Person:

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Date:

August 15, 2016

Agenda Book

16 KAR 8:020. Planned Fifth-year Program.

RELATES TO: KRS 157.390(1)(a), (b), 161.020, 161.028(1)(a), (c), (k), 161.030(1), (2)

STATUTORY AUTHORITY: KRS 161.028(1)(a), (c), (k), 161.030(1), (2)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1)(a), (c), (k) and 161.030(1), (2) vests authority for the issuance and renewal of certification for all school personnel in the Education Professional Standards Board. This administrative regulation establishes the standards for the Fifth-year Program for certificate renewal.

Section 1. (1) The standards required for the renewal of a teaching certificate shall require completion of:

(a) The continuing education alternative plan as defined in 16 KAR 8:030; or

(b) Plan I or Plan II described in this administrative regulation and in keeping with one (1) or more of the following purposes:

1. To improve the professional competency for the position covered by the initial teaching certificate;
2. To extend the scope of professional competency to a certification area not covered by the initial certificate; or
3. To obtain preparation-certification required for professional advancement to a higher position.

(2) Upon application by the candidate, the teacher education institution shall verify the completion of the Fifth-year Program to the Division of Certification.

Section 2. (1) Plan I Fifth-year Program shall require the completion of a master's degree from a college or university which meets the standards established by the Education Professional Standards Board in KAR Title 16:

(a) In a professional education specialty for which certification is issued;

(b) In an academic subject for which teacher certification is issued; or

(c) In professional education with emphasis in an academic subject for which certification is issued.

(2) The master's degree shall be consistent with the experienced teacher standards established by the Education Professional Standards Board in 16 KAR 1:010 or with standards established by the Education Professional Standards Board in KAR Title 16 for a particular professional education specialty.

Section 3. Plan II Fifth-year Program shall require thirty-two (32) semester hours of graduate level coursework earned beyond the bachelor's degree and the four (4) year program of teacher preparation in accordance with the following guidelines:

(1) The Fifth-year Program shall be planned individually with each candidate by a teacher education institution approved for offering graduate programs of teacher preparation.

(2) The Fifth-year Program shall be a major component of the candidate's professional growth plan and shall be consistent with the experienced teacher standards established by the Education Professional Standards Board in 16 KAR 1:010 or with standards established by the Education Professional Standards Board in KAR Title 16 for a professional education specialty.

(3) The Fifth-year Program shall relate to the initial classroom teaching certificate or to an additional classroom teaching certificate.

(4) The grade point standing for the thirty-two (32) semester hour program shall not be less than is required at the planning institution for a teacher education graduate.

(5) Professional development in lieu of up to twelve (12) semester hours of the college credit shall be approved as part of Plan II Fifth-year Program if requested by the applicant using the following guidelines:

(a) Twenty-four (24) clock hours of professional development shall equal one (1) semester hour;

(b) The candidate shall seek and obtain prior approval of the institution for the professional development activities;

(c) The application for approval shall identify the specific professional development activities, and the action plan to achieve one (1) or more goals of the professional growth plan identified in subsection (2) of this section;

(d) Upon completion of the professional development activities, the candidate shall submit to the institution a report of the activities which shall include an evaluation of the experiences and a follow-up plan for implementing the professional development; and

(e) The institution shall keep a record of the professional development completed by each candidate for the Fifth-year Program.

Section 4. New Teacher Standards. An approved preparation program for initial certification to be completed at the master's degree level shall be consistent with the new teacher standards as established in 16 KAR 1:010. (21 Ky.R. 3100; eff. 8-3-95; Am. 24 Ky.R. 1944; 2369; eff. 5-18-98; 26 Ky.R. 437; 745; eff. 10-11-99; recodified from 704 KAR 20:021, 7-2-2002.)

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver D

Action Item:

Request for Third Extension to Complete Master's Degree

Applicable Statutes and Regulation:

16 KAR 2:010, Section 3

Applicable Goal(s):

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

Issue:

Should the Educational Professional Standards Board (EPSB) grant a third, one-year extension to complete the required Master's degree?

Background:

Mr. Terry Gribbons was initially issued certificates from 2004-2009 in Social Studies, Grades 5-9 and 8-12. In 2014, he requested and received a one-time, one year extension from the Division of Certification for the 2014-15 school year to complete his Master's degree program. In 2015, he requested and received an additional one year reissuance to complete his Master's degree. Due to family illness, Mr. Gribbons is now requesting third, one-year extension for the 2016-17 school year so he may complete his Master's course work.

His supporting materials are under separate cover.

Potential Actions:

1. Approve the waiver request
2. Do not approve the waiver request

Contact Person:

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

Date:

August 15, 2016

Agenda Book

16 KAR 2:010. Kentucky teaching certificates.

RELATES TO: KRS 158.6451, 160.380, 161.020, 161.028(1), 161.030

STATUTORY AUTHORITY: KRS 161.028(1)(a), (b), (f), 161.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1)(a) requires the Education Professional Standards Board to establish the standards for obtaining and maintaining a teaching certificate. KRS 161.028(1)(b) requires the board to set standards for programs for the preparation of teachers and other professional school personnel. KRS 161.028(1)(f) requires the board to issue and renew any certificate. This administrative regulation establishes the Kentucky certification to be issued for teaching positions.

Section 3. Professional Teaching Certificate Renewal. (1) The renewal shall require completion of a fifth-year approved program of preparation which is consistent with:

(a) The Kentucky teacher standards established in 16 KAR 1:010; or

(b) The standards adopted by the Education Professional Standards Board for a particular professional education specialty and established in an applicable administrative regulation in KAR Title 16.

(2) The first five (5) year renewal shall require:

(a) Completion of a minimum of fifteen (15) semester hours of graduate credit applicable to the fifth-year approved program of preparation established in 16 KAR 8:020 by September 1 of the year of expiration of the certificate; or

(b) Completion of the required components of the continuing education option for initial certificate renewal as established in 16 KAR 8:030.

(3) The second five (5) year renewal shall require:

(a) Completion of the fifth-year approved program of preparation established in 16 KAR 8:020 by September 1 of the year of expiration of the certificate; or

(b) Successful completion of the continuing education option as established in 16 KAR 8:030.

(4) Each subsequent five (5) year renewal shall require completion of the renewal requirements established in 16 KAR 4:060.

Section 4. Grade Levels and Specializations. (1) Preparation for a teaching certificate shall be based on:

(a) The Kentucky teacher standards established in 16 KAR 1:010;

(b) The accreditation and program approval standards established in 16 KAR 5:010, including the content standards of the relevant national specialty program associations; and

(c) The goals for the schools of the Commonwealth specified in KRS 158.6451 and the student academic expectations established in 703 KAR 4:060.

(2) A base certificate shall be issued specifying one (1) or more of the following grade level and specialization authorizations:

(a) Interdisciplinary early childhood education, birth to primary, established in 16 KAR 2:040;

(b) Elementary school: primary through grade 5 to include preparation in the academic disciplines taught in the elementary school.

1. The elementary certificate shall be valid for teaching grade 6 if grade 6 is taught in a self-contained classroom or in a school organization in which grade 6 is housed with grade 5 in the same building.

2. A candidate for the elementary certificate may simultaneously prepare for certification for teaching exceptional children.

(c) 1. Middle school option 1: grades 5 through 9 with the equivalent of one (1) major to be selected from:

a. English and communications;

b. Mathematics;

c. Science; or

d. Social studies; or

2. Middle school option 2: grades 5 through 9 with two (2) middle school teaching fields to be selected from:

a. English and communications;

b. Mathematics;

c. Science; or

d. Social studies;

(d) Secondary school: grades 8 through 12 with one (1) or more of the following majors:

1. English;

2. Mathematics;

3. Social studies;

4. Biology;

5. Chemistry;

6. Physics; or

7. Earth science;

(e) Grades 5 through 12 with one (1) or more of the following majors:

1. Agriculture;

2. Business and marketing education;

3. Family and consumer science;

4. Industrial education; or

5. Engineering and technology;

(f) All grade levels with one (1) or more of the following specialties:

1. Art;

2. A foreign language;

3. Health;

4. Physical education;

5. Integrated music;

6. Vocal music;

7. Instrumental music; or

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Alternative Route to Certification Application A

Action Item:

Alternative Route to Certification Application

Applicable Statutes and Regulation:

KRS 161.028, 161.030, 161.048
16 KAR 9:010

Applicable Goal:

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

Issue:

Should the Education Professional Standards Board approve the alternative route to certification application?

Background:

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

Matthew Gunterman, Business and Marketing, Grades 5-12

The application will be sent under separate cover.

Potential 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
E-mail: John.Fields@ky.gov

Date:

August 15, 2016

Agenda Book

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

RELATES TO: KRS 161.028, 161.030, 161.048

STATUTORY AUTHORITY: KRS 161.028, 161.030, 161.048

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

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

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

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

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

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

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

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

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

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Alternative Route to Certification Application B

Action Item:

Alternative Route to Certification Application

Applicable Statutes and Regulation:

KRS 161.028, 161.030, 161.048

16 KAR 9:010

Applicable Goal(s):

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

Issue:

Should the Education Professional Standards Board approve the alternative route to certification application?

Background:

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

Jeffrey Stone, Physics, Grades 8-12

The application will be sent under separate cover.

Groups/Persons Consulted:

The application was reviewed by Mr. John Fields, Director of Certification, and Crystal Hord, certification consultant.

Potential Actions:

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

Staff Recommendation:

Potential Action 1

Rationale:

The applicant meets all requirements for the Option 1 alternative route for certification.

Agenda Book

Contact Person:

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

Date:

August 15, 2016

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Alternative Route to Certification Application C

Action Item:

Alternative Route to Certification Application

Applicable Statutes and Regulation:

KRS 161.028, 161.030, 161.048

16 KAR 9:010

Applicable Goal(s):

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

Issue:

Should the Education Professional Standards Board approve the alternative route to certification application?

Background:

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

Wayne Turbeville, Chemistry, Grades 8-12

The application will be sent under separate cover.

Groups/Persons Consulted:

The application was reviewed by Mr. John Fields, Director of Certification, and Crystal Hord, certification consultant.

Potential Actions:

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

Staff Recommendation:

Potential Action 1

Rationale:

The applicant meets all requirements for the Option 1 alternative route for certification.

Agenda Book

Contact Person:

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

Date:

August 15, 2016

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Alternative Route to Certification Application D

Action Item:

Alternative Route to Certification Application

Applicable Statutes and Regulation:

KRS 161.028, 161.030, 161.048

16 KAR 9:010

Applicable Goal(s):

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

Issue:

Should the Education Professional Standards Board approve the alternative route to certification application?

Background:

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

Danielle Wells, Business and Marketing Education, Grades 5-12

The application will be sent under separate cover.

Groups/Persons Consulted:

The application was reviewed by Mr. John Fields, Director of Certification, and Crystal Hord, certification consultant.

Potential Actions:

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

Staff Recommendation:

Potential Action 1

Rationale:

The applicant meets all requirements for the Option 1 alternative route for certification.

Agenda Book

Contact Person:

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Division of Certification
502-564-4606
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Date:

August 15, 2016

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Alternative Route to Certification Application E

Action Item:

Alternative Route to Certification Application

Applicable Statutes and Regulation:

KRS 161.028, 161.030, 161.048

16 KAR 9:010

Applicable Goal(s):

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

Issue:

Should the Education Professional Standards Board approve the alternative route to certification application?

Background:

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

David Cesler, Business and Marketing Education, Grades 5-12

The application will be sent under separate cover.

Groups/Persons Consulted:

The application was reviewed by Mr. John Fields, Director of Certification, and Leah Riley, certification consultant.

Potential Actions:

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

Staff Recommendation:

Potential Action 1

Rationale:

The applicant meets all requirements for the Option 1 alternative route for certification.

Agenda Book

Contact Person:

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

Date:

August 15, 2016