

Agenda Book

EPSB Mission Statement:

The Education Professional Standards Board, in full collaboration and cooperation with its education partners, promotes high levels of student achievement by establishing and enforcing rigorous professional standards for preparation, certification, and responsible and ethical behavior of all professional educators in Kentucky.

EPSB Meeting Agenda

EPSB Offices

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

April 13, 2015

Monday, April 13, 2015

9:00 AM EDT Call to Order

Roll Call

Open Speak

Approval of Consent Items

- A. Approval of February 9, 2015 EPSB Minutes (**Pages 1-36**)
- B. 16 KAR 5:040. Request to Waive Student Teaching Requirements (Dr. Kim Walters-Parker) (**Pages 37-40**)

Report of the Executive Director

- A. Report from the Kentucky Department of Education
- B. Report from the Council on Postsecondary Education
- C. Strategic Plan Update (Mr. Adams)
- D. Network for Transforming Educator Preparation Update (Ms. Adams, Ms. Donna Brockman, Dr. Walters-Parker)
- E. Legislative Update (Ms. Sneed)
- F. Local Educator Assignment Data (LEAD) Report (Mr. John Fields)

Report of the Chair

Committee Appointments

Accreditation Audit Committee

Masters Review Committee

Information/Discussion Items

- A. 16 KAR 2:020. Occupation-based Career and Technical Education Certification, Amendment, Notice of Intent (Mr. Fields) (**Pages 41-48**)
- B. 16 KAR 4:030. Out-of-State Preparation, Amendment, Notice of Intent (Dr. Walters-Parker) (**Pages 49-58**)
- C. Council for the Accreditation of Educator Preparation Standards (Dr. Walters-Parker) (**Pages 59-60**)

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Action Item

2016 KTIP Funding (Ms. Donna Brockman; Mr. Adams)
(Pages 61-66)

Waivers

- A. Request for Waiver of the Board's Decision to Notate Periods of Suspension and/or Revocations on Certificates When Reissued, Ms. Kerry Chavira (Ms. Sneed) (Pages 67-68)
- B. Request for Waiver of the Board's Decision to Notate Periods of Suspension and/or Revocations on Certificates When Reissued, Mr. Tim Carver (Ms. Sneed) (Pages 69-70)
- C. 16 KAR 3:010. Request to Waive Admission Requirements Pertaining to the Professional Certificate for Instructional Leadership-Superintendent, All Grades, Eastern Kentucky University on Behalf of Ms. Jackie Rogers (Dr. Walters-Parker) (Pages 71-73)

Board Comments

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

Certification Review and Revocation: Pending Litigation Review

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

Adjournment

Next Regular Meeting: June 8, 2015
EPSB Offices

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The actions delineated below were taken in open session of the EPSB at the February 9, 2015, meeting. This information is provided in summary form; an official record of the meeting is available in the permanent records of the Education Professional Standards Board (EPSB), 100 Airport Road, 3rd Floor, Frankfort, KY 40601

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

Consent Item A

Call to Order

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

Roll Call

The following Board members were present during the February 9, 2015, EPSB meeting: Brandy Beardsley, Ellen Blevins, Barbara Boyd, Tolya Ellis, Terry Holliday, Allen Kennedy, Robert King, Marie McMillen, Mary John O’Hair, Michael Ross, Laura Schneider, Sandy Sinclair-Curry, Anthony Strong, Cassandra Webb, and David Whaley. Shannon Treece was absent.

Board’s Mission Statement

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

Open Speak

There were four requests for Open Speak.

Thomas Haddock

Mr. Thomas Haddock said he currently serves as KEA president of Boone County and spoke to the Board during Open Speak in December. He asked that the Board change the reporting process for dismissed cases against teachers. Mr. Haddock said that he has been involved in three (3) due process hearings since December and at least one (1) teacher in those hearings was falsely accused. He stated his opinion that the six (6) teachers from his area who spoke during Open Speak at the December meeting made an impact on the Board. He brought two (2) more teachers from his area to speak at the February meeting, and reported his intention to continue appearing at EPSB meetings until he sees changes.

Glenn Marsh

Mr. Glenn Marsh introduced himself to the Board and stated that he works with ‘one-percenters’ who often come from psychiatric hospitals. Mr. Marsh said he was falsely accused by a third grader, who was in his class for a week and who, he believed, did not want to be in school. Mr. Marsh said he has faced several ramifications as a result of this accusation and that what happened to him could happen to any teacher. Mr. Marsh gave his opinion that the current investigative misconduct process has a gap between punishment and professionalism. He said the gray area could be clarified by the EPSB establishing procedures and guidelines that are not currently in place. He suggested the following:

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- 1) Under the EPSB mission statement for 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”* add an additional strategy that every credentialed educator will be protected from spurious false misrepresentations of actions and decisions taken as they were fulfilling professional duties.
- 2) In the paragraph on the EPSB website under ethics where it states that the EPSB is responsible for investigating and prosecuting all cases of educator misconduct, change the language to read as follows: *“The EPSB is responsible for investigating, prosecuting, or expunging all cases of educator misconduct.”*
- 3) Add a sentence on the EPSB website which is also under ethics to read as follows: *“The EPSB will not allow the public confidence in the public schools to be undermined by sensationalized stories, misuse of publicly shared information, or misrepresentation of actual events.”*

Kelli Smith

Ms. Kelli Smith introduced herself to the Board as a teacher who sees her profession as part of her identity and who teaches special education, moderate to severe disabilities. She stated that her position requires her to be responsible for more personal tasks than a regular teacher, and the health care needs of some of her students can necessitate incredibly intimate situations. Ms. Smith explained that there was a possibility that a situation could be misconstrued because language and communication deficits were also a disability for many of her students. She said a false allegation against her was something she was forced to think about and she knew two (2) teachers with false accusations who left their careers. She asked the Board to make changes on how allegations are handled.

Dennis Courtney

Mr. Dennis Courtney introduced himself as an attorney from Murray, Kentucky, who has represented teachers in Western Kentucky for more than 20 years. Mr. Courtney, with his client’s approval, discussed his client’s experience with having a case reported to the EPSB, and what his client endured based upon the accusation. Mr. Courtney said even two years later his client has a cloud over his head. Mr. Courtney stated his opinion that the EPSB should never have received this complaint from the school district. He said the draft regulations brought to the Board are just a start to fixing the disciplinary process.

New Board Attorney

Chair Cassandra Webb introduced Mr. Michael Head as the EPSB’s new Board attorney from the Attorney General’s office who was assigned to work with the Board. He replaces former Board attorney Angela Evans.

Mr. Head said he worked as a hearing officer for 16 years and is very familiar with the disciplinary process. He said he looks forward to working with the Board.

Approval of Consent Items

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

2015-001

Motion made by Ms. Marie McMillen, seconded by Mr. Anthony Strong, to approve the following items on the consent agenda:

Approval of December 8, 2014 EPSB Minutes

Approval of Contract

Learning and Behavior Disorders P-12 Initial (Bachelor's Level), Alice Lloyd College

Offsite Campus Approval, Western Kentucky

16 KAR 5:040. Request to Waive Requirements Pertaining to Observation of Teacher Candidates During Student Teaching, Western Kentucky University

16 KAR 5:040. Request to Waive Student Teacher Placement Requirements, Dr. Sam Evans on behalf of Anthony Echeveste, Elizabeth Isenhower, Julie Crone, and Rebecca Sledge

16 KAR 5:040. Request to Waive Student Teacher Placement Requirements, Dr. Sam Evans on behalf of Rachel Walters

Remedial Ethics Training, Jefferson County Teachers

Vote: *Unanimous*

Dr. Kim Walters-Parker recognized representatives from Alice Lloyd College whose program was approved.

Report of the Executive Director

Kentucky Rising Joint Initiative

Executive Director Brown and the National Council on Education and the Economy representatives Tony Mackay (joined by phone from Australia), Felicia Cummings-Smith, and John DeAtley updated the Board on major initiatives surrounding Kentucky Rising. Kentucky Rising is a statewide strategic plan focused on a “cradle- to-career” model to improve the economy of the Commonwealth and the prosperity of citizens of the Commonwealth. The goal is for Kentucky to have a workforce that is among the world’s most highly skilled, globally aware, and globally competent. Key stakeholders in a working group will develop the strategic plan and the strategic plan will address the following components:

- 1) provide strong supports for children and their families before students even arrive at school;
- 2) provide more resources for at-risk students than for others;
- 3) develop world class, highly coherent instructional systems;
- 4) create clear gateways for students through the system, set to global standards, with no dead ends;
- 5) assure an abundant supply of highly effective teachers;
- 6) redesign schools to treat teachers as professionals, with incentives and support to continuously improve their practice and the performance of their students;
- 7) create a highly effective system of career and vocational education and training, built on high academic standards, with pathways both to work and to further education;

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- 8) create a leadership development system that develops leaders at all levels to manage such systems effectively; and,
- 9) institute a governance system that has the authority and legitimacy to develop coherent and powerful policies and is capable of implementing them at scale.

The next Kentucky Rising meeting was scheduled for February 20, 2015.

Commissioner Holliday said Kentucky is at the forefront because of its collaborative spirit and innovation. President King said it is imperative that the outcomes from this work be that the workforce is globally competent.

Currently, funding for Kentucky Rising is from foundations until a plan is developed for Kentucky Rising.

2015-002

Motion made by Dr. David Whaley, seconded by Ms. Tolya Ellis, to amend the agenda to add Action Item C. Kentucky Rising Resolution to the agenda.

Vote: *Unanimous*

Report from the Kentucky Department of Education (KDE)

The report from KDE was in the Board folders. There were no other questions from the Board.

Report from the Council on Postsecondary Education (CPE)

The report from CPE was in the Board folders. There were no other questions from the Board.

Strategic Plan Update

Deputy Executive Director Jimmy Adams reported on the strategic plan progress. Dr. Whaley asked why the timeline for CAEP standards is outdated. Chair Webb said that the CAEP standards timeline should be revised with a solid date in order to report on the actual progress.

Dr. Walters-Parker said that CAEP is seeking input on the CAEP handbook through the end of February. An information item on adopting the CAEP standards will be brought to the Board in April. Dr. Whaley expressed his concerns that institutions, particularly those with upcoming accreditations, will be the first affected by the approval of the new standards and will need training. Dr. Walters-Parker said institutions with upcoming accreditations will be given priority for training on the new standards.

Literacy Preparation Advisory Committee (LPAC)

Dr. Kim Walters-Parker reported that the Board recently passed 16 KAR 5:060, a literacy regulation. The work of LPAC is now geared toward providing an avenue for those programs affected by the regulation to submit program changes, and working to ensure enough literacy and content educators are available to review changes to the programs. Dr. Whaley asked what the process is for training in literacy documents. Dr. Walters-Parker said the documents will be sent

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to experienced educators for feedback with special attention to assessments. Webinars will also be offered. Dr. Walters-Parker said guidance in writing will be given to the institutions.

Council for the Accreditation of Educator Preparation (CAEP) Reporting Data

Dr. Kim Walters-Parker discussed the alignment of the Kentucky educator preparation accountability system elements with the EPSB goals and strategies, CAEP standards, and the proposed federal education regulations.

Commissioner Terry Holliday said his continuing concern is to ensure the existing data sources through the Kentucky Center for Education and Workforce Statistics is used so institutions are not required to give the EPSB existing data. Dr. Walters-Parker said a meeting with the Kentucky Information Technology in Educator Preparation (K-ITEP), a Kentucky Association of Colleges for Teacher Education (KACTE) committee, has been scheduled to discuss data and information available for annual reporting which will address his concern.

President Robert King expressed his concern that the assessment measures offered by Educational Testing Service are not good measures. He asked if there were any discussions for finding other measures for assessing the readiness of teachers. Dr. Walters-Parker said she can research other measures. Chair Webb asked for a system or process that the Board can implement so that stakeholders can have discussions to guide the Board. Dr. Mary John O'Hair said she would like the Board to have formal feedback on stakeholders' concerns. Mr. Brown said that study sessions can be arranged. Ms. Marie McMillen said she would like to see a regular monthly meeting with the deans. Dr. Walters-Parkers said her division could try to engage the deans and chairs monthly or as the institutions prefer.

Mr. Mike Ross said he would like to see measures other than the Principles of Learning and Teaching assessments. Mr. Brown said that is very doable, but he cautioned the Board not to add more measures because none of the assessments are free. He said the Board should think about replacing measures, not adding them.

Legislative Update

Ms. Alicia Sneed gave an update to the Board. She said 480 bills have been introduced in the House or Senate. No bills that directly affect the EPSB have been introduced. A tracking sheet with the bills that are moving through the House and Senate will be sent to the Board on a regular basis for Board members to track.

Report of the Chair

Committee Appointments

Program and Accreditation Review Committee (PARC)

Chair Webb made the following reappointments to PARC: Margaret Moore, Cindy Parker, Manish Sharma, Debbie Haydon, Renee Campoy, Judi Conrad, Carol Ryan, and Verna Lowe.

Chair Webb made the following new appointments to PARC: Norm Bishop, April Wood, Jason Reeves, Karen Heavin, Amy Lingo, Norma Wheat, Tonya Kirchner, Sherry Powers, Katherine

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McCormick, Julia Roberts, Margo DelliCarpini, Leah Hoover, Maggie McGatha, and Rosetta Sandidge.

Dr. Whaley asked about the process for appointments. Chair Webb explained that appointments are made by the chair per EPSB policy. She said as a chair she relies heavily on the staff for appointment recommendations, because she does not have the knowledge of all educators across the state. Mr. Brown sends the recommended appointments to the chair and vice chair as a courtesy for review. If the Board would like to change the way appointments to the Board are made it can be done through a policy change.

Principal Program Review Committee

Chair Webb made the following new appointments to the Principal Program Review Committee: Michael Godbey, Shelley Badgett, Justin Bathon, Jeff Blythe, Nick Carter, Tony Maxwell, Brian Robinson, Laura Pugh, Claudette Herald, Kathy House, Eric Davis, and Lu Young

Chair Webb made the following reappointments to the Principal Program Review Committee: Robert Lyon and Pat Trotter

Executive Director Goals

Chair Webb informed the Board that a committee worked on the evaluation structure for the Executive Director, and it was her and Vice Chair O'Hair's task to meet with Mr. Brown to review the goals. She asked for input from the Board on the goals. Mr. Anthony Strong inquired as to what evaluation instrument would be used to show how Mr. Brown met his goals. He felt an evaluation instrument should be created and when Mr. Brown is evaluated, his goals would be set based on his evaluation. Chair Webb said she felt that the goals are the vision and the instrument would be developed afterwards to measure the goals if the goals are measurable. Discussion ensued on whether the goals or evaluation instrument should be developed initially. It was determined that the goals as presented at the meeting should be called standards on the evaluation instrument and the objectives should be called indicators. For the next step, Chair Webb is going to take the old evaluation form and crosswalk it with the new standards and compare the two.

Ms. Marie McMillen stated she was pleased that Mr. Brown planned to meet with superintendents at cooperatives and have a question and answer session as part of his evaluation. Mr. Brown said a point of concern was that he has no control over the cooperatives' agendas. Chair Webb said she anticipates drafting a letter to the cooperatives requesting he have time on the agendas.

Presentations

University of Louisville and University of Kentucky Middle School Clinical Preparation Programs

Dr. O'Hair introduced Dr. Penny Howell, Assistant Professor, Literacy and Middle Grades Teacher Education, University of Louisville, and Dr. Margaret Rintamaa, Clinical Assistant Professor, Middle School Teacher Education, University of Kentucky. Dr. Rintamaa said this presentation is a great example of cross institutional collaboration between the University of Kentucky and University of Louisville. The presentation received praises from the Board. It

was stated that through this program, new teachers will do a great job teaching older teachers and first year teachers can show students they can be successful in different schools.

Information/Discussion Items

Awarded Contracts

Mr. Jimmy Adams informed the Board of KTIP and CTE KTIP contract amendments.

Mid-Year Budget Report

Mr. Adams reported on the EPSB mid-year budget and said there were no concerns. Everything was in line with what had been budgeted. He added that the National Board Incentive Trust Fund account has been completely expended as of January. Everyone that submitted paperwork for National Board reimbursement was reimbursed.

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

Chair Webb began the discussion on proposed changes to 16 KAR 1:030 by going through each section of the regulation where there were proposed changes. In Section 1, Subsection 2, Mr. Gary Stephens explained the proposed changes to add a subcommittee to review complaints. Discussion ensued and several questions were asked. These questions included the following:

- *Who should serve on the committee?
- * How often should the committee meet?
- * Would the committee members need to recuse themselves once a case is opened and brought before the Board?
- * Would a review of the complaints be redacted?
- * Would a subcommittee slow down the process?
- * Could the committee meet electronically?
- * Would the complaints be subject to open records if a committee of the Board reviewed the complaints?
- * Can a subcommittee consist of former board members?

Board attorney Michael Head gave some insight to the Board on the subcommittee process and his experience with past Boards. He told the Board that the Board must look at due process issues and efficiency issues as equally important. Mr. Head recommended that the Board appoint a small committee to meet on the regulation changes and present to the full board once the committee was finished with its charge. Chair Webb explained to Mr. Head that about a year ago the Board appointed the Committee to Ensure an Ethical Educator Workforce (CEEWE) which represented stakeholder groups. Chair Webb said perhaps this committee could resume again and bring back a draft regulation to the Board. Ms. Alicia Sneed proposed that the attorneys attending the Board meeting who represent various stakeholder groups meet and draft a regulation together.

2015-003

Motion made by Mr. Mike Ross, seconded by Ms. Laura Schneider, that a special meeting be held to develop a draft regulation for the Board to review.

Discussion ensued. It was decided that a stakeholder group of attorneys will meet to discuss changes to the disciplinary regulation prior to the EPSB special meeting. Attorneys identified to be invited to attend the stakeholder meeting were the following: Alicia Sneed and her legal staff, Michael Head, Wayne Young, Dennis Janes, Mary Ruble, Bridget Brown, Dennis Courtney, JoEllen McComb, and John Fogle. If John Fogle is unable to attend then another board attorney such as Mike Owsley, Don Ruberg, or Bob Chenoweth should be invited to attend. Chair Webb announced the special meeting will be held on Monday, March 23, at 9:00a.m.

Vote: *Unanimous*

2015-004

Motion made by Mr. Ross, seconded by Ms. Sandy Sinclair-Curry, to authorize Michael Head to meet with attorneys prior to the special meeting to begin this work.

Vote: *Unanimous*

Determining Probable Cause to Take Disciplinary Action Procedure, Amendment, Notice of Intent, New Policy: Policy and Procedure Development and Regulatory Promulgation Procedure, Notice of Intent

2015-005

Motion made by Mr. Ross, seconded by Ms. Marie McMillen to table Information Items D and E.

Vote: *Unanimous*

Progress Report of Option 6 Programs, University of the Cumberlands

Drs. Shannon Deaton, Susan Rose, and Barb Kennedy, School of Education, University of the Cumberlands, reported on the progress of the Option 6 programs at University of the Cumberlands. They reported that university staff have worked on a robust data collection system. It was noted that while the process was painful it did provide opportunities to do great things.

Action Item

Kentucky Teacher Internship (KTIP) Appeals

2015-006

Motion made by Ms. McMillen, seconded by Ms. Schneider, to approve the Appeal's Committee recommendation that the decision of unsuccessful is upheld by the intern committee.

Vote: *Unanimous*

Waiver

16 KAR 9:080. Request to Waive Admission Requirements, Mr. Michael Dailey

2015-007

Motion made by Ms. Sandy Sinclair-Curry, seconded by Ms. Barbara Boyd, to approve the waiver request for Mr. Michael Dailey.

Vote: *Unanimous*

Action Item C

Kentucky Rising Resolution

2015-008

Motion made by Mr. Ross, seconded by Ms. Laura Schneider, to accept the resolution and direct Mr. Brown to sign it.

Vote: *Unanimous*

Board Comments

There were no Board comments.

**DISCIPLINARY MATTERS:
MINUTES OF CASE REVIEW
February 9, 2015**

Motion made by Ms. Sandra Sinclair-Curry, seconded by Ms. Marie McMillen, to go into closed session for the purpose of discussing proposed or pending litigation in accordance with KRS 61.810(1) (c) & (j).

Vote: *Unanimous*

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

Vote: *Unanimous*

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

Cassandra Webb, Michael Ross, Ellen Blevins, Marie McMillen, David Whaley, Laura Schneider, Tolya Ellis, Barbara Boyd, April Wood, Sandra Sinclair-Curry, Mary John O’Hair, Allen Kennedy, Anthony Strong, and Brandy Beardsley.

Attorneys present were Alicia A. Sneed, Cassie Trueblood, Gary Stephens, Chelsea Fannin, Eric Ray, and Michael Head.

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Initial Case Review

<u>Case Number</u>	<u>Decision</u>
1410725	Defer
1409695	Hear
1411767	Dismissed
1408638	Dismissed
1409662	Dismissed
1410736	Admonish
1404232	Defer for training
1411775	Dismissed (<i>Ms. Blevins dissented</i>)
1411786	Hear
1409673	Hear
1409693	Hear
1411777	Hear
1412808	Defer for training
1410734	Hear
1409685	Admonish
1411756	Admonish
1411750	Admonish
1412825	Hear (<i>Ms. Webb recused</i>)
1410710	Hear
1411748	Defer for training
1411754	Hear
1411746	Dismissed
1411765	Hear
1412806	Hear
1408510	Dismissed
1412804	Dismissed
1411744	Hear
1410719	Defer for training
1408512	Dismissed
1411801	Hear
1411769	Hear
1411788	Hear
1411790	Hear
1407417	Dismissed
07112221	Dismissed

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
141194	Approve
141201	Deny
141205	Approve

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141206	Defer
141209	Deny
141212	Approve
141213	Approve
141219	Approve
141221	Deny
1514	Approve
1531	Approve
1545	Deny
1511	Approve
1559	Deny
1513	Approve
1512	Approve
1565	Deny
1570	Deny
1541	Approve
1552	Defer
141190	Approve
141218	Approve
141223	Approve
141229	Approve
141230	Approve
1520	Approve
155	Approve
1536	Approve
1528	Approve
1523	Approve
1569	Approve
1546	Approve
1567	Approve

Agreed Orders

Case Number

Decision

1310750 (Lisa McClees)

Accept Agreed Order suspending Respondent's certificate for a period of two (2) years from the date the Board approves this Order. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of her certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

In addition to any educational requirements, reinstatement of Respondent's certificate at the conclusion of the two (2) year suspension period is expressly conditioned upon

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Respondent providing written evidence that she has complied with the following:

1. Respondent shall provide written proof to the Board that she has completed a comprehensive alcohol/substance abuse assessment by a Kentucky licensed or certified chemical dependency counselor, as approved by the Board. Respondent shall also submit written proof to the Board that she has successfully completed any and all treatment recommendations proposed by the counselor and is competent to fulfill her duties as a certified educator. Any expense for the assessment, treatment, and/or written reports shall be paid by Respondent.
2. Respondent 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. Any expense incurred for said training shall be paid by Respondent.

If Respondent fails to satisfy these conditions prior to the conclusion of the two (2) year suspension period, her certificate shall not be reinstated until Respondent completes the required training and provides the appropriate written proof to the Board.

Upon reinstatement, Respondent's teaching certificate shall be on probation for a period of five (5) years and subject to the following probationary conditions:

1. For the entirety of the probationary period, Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) involving the use and/or possession of any controlled substance or alcohol. If Respondent is convicted of, or enters a guilty or no contest plea, to any criminal charge involving the use and/or possession of any controlled substance or alcohol, she shall submit this information to the Board, in writing, within thirty (30) days. Failure to comply with this condition will result in Respondent's certificate being automatically suspended pending Board review and disposition.
3. Respondent shall submit a copy of her current criminal record, as prepared by the Administrative Office of the Courts by January 1st of each year of the probationary period. Any expense required to satisfy this condition shall be paid by Respondent. Failure to comply with this condition will result in Respondent's certificate being automatically suspended until Respondent provides the appropriate written proof to the Board.
4. In accordance with KRS 161.175, Respondent shall submit to random drug testing during the probationary

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period, to be administered by a provider approved by the Board, and shall receive no drug test positive for illegal substances or in excess of therapeutic levels generally acceptable in the medical community. Any expense required for the drug testing shall be paid by Respondent. Should Respondent fail to satisfy this condition, Respondent's certificate shall be automatically suspended for a period of two (2) years and subject to additional sanctions by the Board pursuant to KRS 161.120. Respondent is aware that should she violate KRS 161.120, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1305361 (Charles Delaney) Accept Agreed Order which states that, on or before March 1, 2015, Respondent shall provide written proof to the Board that he has successfully completed three (3) hours of Administration Code training, as approved by the Board. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, Respondent's certificate, and any future endorsements or new areas of certification, shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board. On or before July 1, 2015, Respondent shall submit written proof to the Board that he has successfully completed twelve (12) hours of professional development or training, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, Respondent's certificate, and any future endorsements or new areas of certification, shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board. This agreement is expressly conditioned upon Respondent agreeing to testify truthfully in any hearing involving her co-Respondents at the Board's request. Should Respondent refuse to do so at any point in the future, the Board may void this Order, reopen this case, and seek additional sanctions against Respondent's certificate.

Vote: *Unanimous*

1010632 (Riccardo X) Accept Agreed Order dismissing Case Number 10-10632 without prejudice.

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Vote: *Unanimous*

- 1205290 (Johnathan Slone) Accept Agreed Order admonishing Respondent for neglect of duty. The Board reminds Respondent that he has a statutory duty to competently perform his duties and to follow all state statutes and regulations relating to schools. The Board will not tolerate any further incidents of misconduct from Respondent.
- Respondent's certificate shall be subject to the following probationary conditions for a period of three (3) years from the date upon which the Board approves this agreement:
1. On or before July 1, 2015, Respondent shall provide written proof to the Board that he has successfully completed the Leadership Institute for School Principals offered through the Kentucky Chamber Foundation. Any expense incurred for said program shall be paid by Respondent. Should Respondent fail to satisfy this condition, Respondent's Professional Certificate for Instructional Leadership – Principal, All Grades, Level 2 shall be automatically suspended for further action by the Board.
 2. On or before January 1, 2016, Respondent shall provide written proof to the Board that he has successfully completed twelve (12) hours of professional development or training, as approved by the Board, on the Professional Code of Ethics for Certified School Personnel. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition, Respondent's certificate shall be automatically suspended for further action by the Board.
 3. For the entirety of the probationary period, Respondent shall receive no disciplinary action involving neglect of duty. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process. If Respondent fails to comply with the requirements of this paragraph, Respondent's certificate, and any future endorsements or new areas of certification, shall be automatically suspended for a period of thirty (30) days. Respondent is aware that should he violate KRS 161.120, either during or following this three (3) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

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1106409 (Jonathan Koboski) Accept Agreed Order which states that Respondent shall neither apply for nor be issued any emergency teaching certificate, including emergency substitute certification. Respondent shall only be permitted to apply for temporary provisional or statement of eligibility if he has met the educational requirements. In addition, prior to being issued temporary provisional or statement of eligibility, Respondent shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall present written evidence to the Board that he has complied with the assessment process and has successfully completed any and all treatment recommendations. Any expense for the assessment, treatment and/or written reports shall be paid by Respondent. Should Respondent fail to satisfy this condition, the Board shall deny all applications submitted by Respondent or on his behalf.

Vote: *Unanimous*

07112204 (Veronica Davis) Accept Agreed Order which states that Respondent's certificate has lapsed and she is no longer employed in the education profession. Should Respondent decide to return to the profession in the future, she must provide proof of the following prior to being issued or reissued a certificate:

1. Respondent shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall present written evidence to the Board that she has complied with the assessment process. Any expense for the assessment and written reports shall be paid by Respondent.
2. Respondent shall submit written proof to the Board that he has completed a course on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense required for said training shall be paid by Respondent.

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

1. If Respondent's chemical dependency counselor makes any treatment recommendations, Respondent shall comply with the treatment recommendations. Respondent shall submit quarterly written progress reports from her counselor to the Board until such time as the counselor releases her from treatment. Any expense for the treatment and/or written reports shall be paid by Respondent. Failure

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to comply with this condition will result in Respondent's certificate being automatically suspended until Respondent is in compliance.

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

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

Vote: *Unanimous*

1207417 (Rodney Gill)

Accept Agreed Order admonishing Respondent for exercising poor professional judgment, and for neglect of duty. The Board reminds Respondent that he owes an ethical duty to parents to make reasonable efforts to communicate information to them, which should be revealed in the interest of the student. This would include notifying parents that their child was failing his class in a timely manner, and providing the appropriate documentation to his supervisor upon request. The Board will not tolerate any further incidents of misconduct from Respondent.

Upon acceptance of this agreement by the Board, Respondent's certificate shall be subject to the following probationary conditions:

1. Prior to returning from medical leave, Respondent shall provide written proof to the Board that he has been evaluated by a Kentucky licensed or certified physician and is fit to return to the classroom, presents as capable of fulfilling his duties as an educator, is not a danger to himself or others, and is compliant with all treatment recommendations. Any expense incurred for said

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evaluation, treatment, and/or reports shall be paid by Respondent.

2. On or before February 1, 2016, Respondent shall provide written proof to the Board that he has successfully completed six (6) hours of educator ethics professional development or training, with a focus on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition by February 1, 2016, Respondent's certificate shall be automatically suspended until such condition is satisfied.

3. On or before February 1, 2016, Respondent shall provide written proof to the Board that he has completed three (3) hours of classroom management professional development or training, as approved by the Board. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition by February 1, 2016, Respondent's certificate shall be automatically suspended until such condition is satisfied. Respondent is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1306401 (Jon Maxwell)

Accept Agreed Order admonishing Respondent for using inappropriate physical force to control a student's behavior. An educator in the Commonwealth of Kentucky has a duty to take reasonable measures to protect the health, safety and emotional well-being of students, and must remain aware of the line between appropriate and inappropriate physical contact when interacting with students. Furthermore, the Board reminds Respondent of his duty to maintain the dignity and integrity of the profession at all times. The Board will not tolerate any further incidents of misconduct from Respondent.

Respondent is not currently teaching in the state of Kentucky, and has no immediate plans to return to Kentucky. Should Respondent return to the Kentucky public school system in any capacity that requires certification, he shall first submit written proof to the Board that he has complied with the following conditions:

1. Respondent shall submit written proof to the Board that he has completed twelve (12) hours of professional development or training in the area of educator ethics, with an emphasis on the Professional Code of Ethics for

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Kentucky Certified School Personnel, as approved by the Board. Any expense for said training shall be paid by Respondent.

2. Respondent shall submit written proof to the Board that he has completed the Kentucky Department of Education's restraint and seclusions training entitled *Promoting Positive Behavior in Schools*. Any expense for said training shall be paid by Respondent.

Should Respondent fail to complete the above conditions prior to returning to the Kentucky public school system, his certificate shall be automatically suspended until such conditions are satisfied. Respondent is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1405285 (Samantha Matthews) Accept Agreed Order admonishing Respondent for bringing a deadly weapon to school. As an educator, Respondent has a duty to protect the health, safety, and emotional wellbeing of students. Additionally, Respondent is required to obey the laws regarding weapons on school campuses. Although there were extenuating circumstances that led to this violation, Respondent is reminded that when she is serving as a teacher she must ensure that her students are safe. No further acts of misconduct by Respondent will be tolerated by Board.

Respondent's certificate is subject to the following probationary conditions from the date of acceptance of this order:

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

2. Respondent shall provide written proof that he has received twelve (12) hours of professional development/training in the area of gun safety and Kentucky deadly weapons laws, as approved by the Board, no later than September 1, 2015. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition by September 1, 2015, any and

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all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

3. Respondent shall provide written evidence to the Board from a Kentucky licensed and/or certified psychiatrist and/or mental health professional, approved by the Board, that she has complied with a comprehensive evaluation and is fit to serve in the classroom, presents as capable of performing her duties as a teacher, is not a danger to herself or others, and is compliant with all treatment recommendations. If the evaluating psychiatrist and/or mental health professional recommends ongoing treatment, Respondent shall present the Board with written annual reports that she is compliant with all treatment recommendations until released from treatment. All treatment providers shall be approved by the Board and the financial cost of any treatment and/or reports is to be paid by Respondent.

4. Respondent shall have no further disciplinary action involving deadly weapons. "Disciplinary action" is defined as any public reprimand, suspension, or termination issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. If the tribunal amends the disciplinary action or if Respondent agrees to amend the disciplinary action through arbitration, the new disciplinary action if a suspension, termination, or public reprimand shall be considered a violation of this condition. Should Respondent violate this condition, Respondent's certificate shall be automatically suspended for a period of one (1) year and subject to additional sanctions by the Board pursuant to KRS 161.120.

5. Respondent shall have no criminal convictions involving deadly weapons or assault. Respondent shall submit a state criminal background records report to the Board with all future applications for certification or certification renewal. Any expense for the state criminal background records report shall be paid by Respondent. If Respondent is convicted for any crime involving deadly weapons or assault, any and all certificates issued to Respondent shall be automatically suspended and a new disciplinary case initiated.

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

Vote: *Unanimous*

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1212783 (Sandra Von Handorf) Accept Agreed Order dismissing Case Number 12-12783 without prejudice.

Vote: *Unanimous*

1311817 (Megan Mathis) Accept Agreed Order suspending Respondent's certificate for a period of one (1) year from the date upon which the Board approves this agreement. Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky during the suspension period. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of her certificate to the EPSB, by delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Prior to reinstatement of Respondent's certificate at the conclusion of the one (1) year suspension period, Respondent must comply with the following conditions:

1. Respondent shall provide written proof to the Board that she has been assessed by a state certified mental health counselor, as approved by the Board, and is competent to fulfill her duties as an educator. Respondent shall provide proof that she has complied with any treatment recommendations proposed by the mental health counselor and shall continue to provide treatment records to the Board until she has been released from treatment by the counselor. Any expense incurred for the assessment or follow-up treatment shall be paid by Respondent.
2. Respondent shall submit written proof to the Board that she has completed a course, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense required for said training shall be paid by Respondent.

Should Respondent fail to satisfy any of these conditions, Respondent's certificate shall not be reinstated.

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

1. For the entirety of the probationary period, Respondent shall not hold a certified position in any school district in the Commonwealth of Kentucky that allows her access to money or financial accounts. Respondent shall file documentation substantiating that she does not hold such position by July 1st of each year. If Respondent is required to collect money from students in a classroom setting, Respondent shall establish safety protocols with the school principal to ensure that any funds collected are properly

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accounted and shall file these safety protocols with the Board prior to the collection of any money.

2. For the entirety of the probationary period, Respondent shall receive no disciplinary action involving fiscal mismanagement. "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.

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

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

Vote: *Unanimous*

1306393 (Daniel Dixon)

Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. As an educator, Respondent has a duty to maintain the dignity and integrity of the profession as well as a duty to refrain from demonstrating a willful or careless disregard for the health, welfare, and safety of others. The Board will not tolerate any further incidents of misconduct from Respondent.

Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of five (5) years from the date the Board accepts this Agreed Order:

1. For the entirety of the probationary period, Respondent shall remain in compliance with all court orders related to Warren District Court Case Number 11-M-3722. Failure to comply with this condition will result in Respondent's certificate being automatically suspended for further action by the Board.

2. On or before March 1, 2015, Respondent 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

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by Respondent. If Respondent fails to comply with the requirements of this paragraph on or before March 1, 2015, Respondent's certificate, and any future endorsements or new areas of certification, shall be automatically suspended until Respondent submits the required written proof to the Board.

3. On or before July 1, 2015, Respondent shall provide written proof to the Board that he has successfully completed twelve (12) hours of training or professional development, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to comply with the requirements of this paragraph on or before July 1, 2015, Respondent's certificate, and any future endorsements or new areas of certification, shall be automatically suspended until Respondent submits the required written proof to the Board.

4. For the entirety of the probationary period, Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. Failure to comply with this condition will result in an automatic one (1) year suspension of Respondent's certificate.

5. Respondent shall submit current national and state criminal background reports to the Board with any application for renewal of his certification(s) and/or for additional certification(s). Any expense for the national and state criminal background reports shall be paid by Respondent. Failure to comply with this condition will result in the denial of all applications for renewal and/or additional certification(s) submitted by Respondent or on his behalf.

Respondent is aware that should he violate KRS 161.120, either during or following this five (5) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1405270 (Pamela Allen)

Accept Agreed Order reminding Respondent that disputes between educational colleagues should not take place in front of students. Educators have a duty to exemplify behaviors that maintain the dignity and integrity of the profession. The Board acknowledges that educators working in close proximity will have work place issues

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arise from time to time, but those issues need to be worked out privately and not in front of students.

Additionally, Respondent's certificate is subject to the following probationary condition from the date of acceptance of this order by the Board:

1. Respondent shall provide written proof to the Board that she has received six (6) hours of professional development/training in the area of anger management, as approved by the Board, no later than March 1, 2015. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition by March 1, 2015, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board; and
2. Respondent shall provide written proof that she has received six (6) hours professional development/training in the area of ethics, as approved by the Board, no later than March 1, 2015. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition by March 1, 2015, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

Vote: *Unanimous*

- 1402118 (Dana McCubbin) Accept Agreed Order admonishing Respondent by the Board for neglecting her duties as an educator by continually missing instructional school days. Additionally, Respondent's certificate is subject to the following probationary condition from the date of acceptance of this order by the Board:
- Before applying to any education position, Respondent shall provide written proof to the Board that she has received twelve (12) hours of professional development/training in the area of ethics, as approved by the Board. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition before applying to any education position, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

Vote: *Unanimous (Ms. Blevins recused)*

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- 1404229 (Terry Jones) Accept Agreed Order which states that Respondent shall surrender his teaching and administrative certificates. Respondent shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future. Respondent shall surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.
- Vote:** *Unanimous*
- 1405287 (Rebecca Boling) Accept Agreed Order admonishing Respondent for failing to properly maintain the dignity and integrity of the profession. Additionally, KRS 161.120(1)(f) prohibits educators from possessing, using, or being under the influence of alcohol during the performance of their duties. The consumption or possession of alcohol in any amount or form on school property or during the performance of an educator's duties will not be tolerated by the Board. Respondent is currently a retired educator, however if Respondent chooses to return to the classroom in any capacity, she shall completed twelve (12) hours of ethics training prior, as approved by the Board, prior to seeking re-employment as a teacher. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to complete the above training prior to returning to the classroom, her Kentucky teaching certificate shall be automatically suspended until she provides proof to the Board that she has completed the above required twelve (12) hours of ethics training.
- Vote:** *Unanimous*
- 140237 (Laura Munson) Accept Agreed Order suspending Respondent's certificate for a period of two (2) years beginning January 1, 2014. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of this certificate, by first class mail or personal delivery, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601. Prior to reinstatement of Respondent's certificate, Respondent shall comply with the following.
1. Respondent shall undergo a comprehensive substance abuse assessment by a Kentucky licensed or certified chemical dependency counselor, approved by the Board, and present written evidence to the Board that she has complied with the assessment process and has either

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successfully completed or is working toward completing any and all treatment recommendations and is fit to fulfill her duties as an educator. Any expense for the assessment, treatment, and/or written reports shall be paid by Respondent.

2. Respondent shall provide written evidence to the Board that she has completed twelve (12) hours of professional development/training in ethics as approved by the Board and at her own expense.

If Respondent fails to satisfy either of these conditions, Respondent's certificate shall not be reinstated until all conditions are met.

Upon reinstatement, Respondent's certificate, including any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of five (5) years.

1. If Respondent is not able to complete all chemical dependency treatment recommendations prior to reinstatement of her certificate, she shall submit quarterly written progress reports from her chemical dependency counselor until such time as the counselor releases her from treatment or the probationary period ends, whichever comes first. Each progress report shall certify that Respondent is continuing to comply with any and all treatment recommendations and that she remains fit to fulfill her duties as an educator. Any expense incurred for treatment and/or reports shall be paid by Respondent.

2. Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. Respondent shall submit a copy of her current criminal record, as prepared by the Administrative Office of the Courts, by July 1st of each year of the probationary period. Any expense required to satisfy this condition shall be paid by Respondent.

By entering into this Agreed Order, Respondent agrees that should she fail to satisfy and/or violate either of these conditions, her certificate shall be automatically suspended for a period of one (1) year. If applicable, at the conclusion of the one (1) year suspension, her certificate shall remain suspended until such time as all of the above conditions are met. Respondent is aware that should she violate KRS 161.120 either during or following this five (5) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

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- 1311792 (Lafaye Marshall) Accept Agreed Order dismissing Agency Case Number 1311792 on the following conditions. On or before January 1, 2016, Respondent shall submit written proof to the Board that she has completed the following, approved by the Board and at her own expense:
1. Three (3) hours of classroom management training;
 2. Three (3) hours of ethics training with a component addressing confidentiality issues; and
 3. NEA Diversity Training.
- Should Respondent fail to satisfy either of these conditions, her certificate shall be automatically suspended until all conditions are met.

Vote: *Unanimous*

- 1311777 (Lynsie Smith) Accept Agreed Order dismissing Agency Case Number 1311777 on the following conditions. Prior to being issued any teaching and/or administrative certification in the Commonwealth of Kentucky, Respondent shall comply with the following.
1. Respondent shall undergo a comprehensive substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall provide written evidence to the Board that she has complied with the assessment process and has successfully completed any and all treatment recommendations. Any expense for the assessment, treatment, and/or written reports shall be paid by Respondent.
 2. Respondent shall submit written proof to the Board that she has completed a course on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board and at her own expense. Respondent understands that should she fail to satisfy these conditions, any application for certification, submitted by her or on her behalf, shall be denied.

Vote: *Unanimous*

- 1307491 (Gary Beach) Accept Agreed Order dismissing Agency Case Number 200704067 on the following conditions. On or before June 1, 2015, Respondent shall provide written proof to the Board that he has satisfied the following conditions:
1. Six (6) hours of professional development/training approved by the Board and at his own expense, in classroom management techniques for exceptional children; and
 2. Safe Crisis Management certification, approved by the Board and obtained at his own expense.

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Should Respondent fail to satisfy either of these conditions, his certificate shall be suspended until all conditions are met.

Vote: *Unanimous*

1309691 (Connie Ham)

Accept Agreed Order suspending Respondent's certificate for a period of thirty (30) days beginning September 5, 2013. Respondent shall surrender the original and all copies of this certificate immediately, by first class mail or personal delivery to the Education Professional Standards Board, 100 Airport, Road, Third Floor, Frankfort, Kentucky 40601.

Prior to returning to any position of employment that requires teaching certification, Respondent shall submit written proof to the Board that she has successfully completed the following, each approved by the Board and at her own expense:

1. Twelve (12) hours of professional development/training in effective classroom management techniques;
2. Anger management counseling;
3. Three (3) hours of diversity training for classroom teachers; and
4. Twelve (12) hours of professional development/training in ethics.

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

Upon entry of this Order, Respondent's certificate shall be subject to the following probationary condition for the life of the certificate. Respondent shall not be disciplined by any school district for any conduct which violates KRS 161.120 and/or 16 KAR 1:020. Discipline shall be defined as a reprimand, admonishment, suspension, or termination either uncontested by Respondent or upheld by either the tribunal or arbitration process, if requested. If Respondent violates this condition, the Board shall automatically suspend her certificate for a period of two years and may seek additional sanctions pursuant to KRS 161.120.

Vote: *Unanimous*

1312897 (Kirk McElroy)

Accept Agreed Order suspending Respondent's certificate for a period of three (3) days beginning November 20, 2013; however, imposition of this sanction is suspended

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and Respondent shall be subject to the following probationary conditions.

1. On or before August 1, 2015, Respondent shall submit written proof to the Board that he has completed twenty-four (24) hours of professional development/training, approved by the Board and at his own expense, in effective classroom management strategies.

2. From the date of the Board's acceptance of this Order until August 1, 2016, Respondent shall not be disciplined by any school district for conduct in violation of KRS 161.120 and/or 16 KAR 1:020. Discipline shall be defined as a reprimand, admonishment, suspension, or termination upheld by either the tribunal or arbitration process, if requested.

If Respondent satisfies the above conditions, the three (3) day suspension shall not be imposed. Should Respondent fail to satisfy either of the conditions, the Board shall automatically suspend his certificate for a period of three (3) days beginning November 20, 2013, and may seek additional sanctions pursuant to KRS 161.120.

Vote: *Unanimous*

1408505 (Jerry Drury)

Accept Agreed Order retroactively suspending Respondent's certificate for a period of sixty (60) days from August 15, 2014 through October 13, 2014.

Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd floor, Frankfort, KY 40601.

Upon reinstatement, Respondent's certificate shall be subject to the following probationary conditions:

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

2. On or before December 1, 2015, Respondent shall provide written proof to the Board that he has successfully completed sexual harassment awareness professional development or training, as approved by the Board. Any expense incurred shall be paid by Respondent. Should

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Respondent fail to satisfy this condition by December 1, 2015, Respondent's certificate shall be automatically suspended until such condition is satisfied.

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

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

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

Vote: *Unanimous*

1407423 (Stephen Meyer)

Accept Agreed Order which states that Respondent shall not seek or accept any position of employment in Kentucky that requires teaching certification. Additionally, upon the expiration of Respondent's certificate on June 30, 2016, Respondent shall neither apply for, nor be issued, a teaching, administrative or emergency certificate in the Commonwealth of Kentucky at any time in the future. Should Respondent violate this agreement, Respondent's certificate shall be automatically suspended for its remainder and/or any application for certification shall be denied.

Vote: *Unanimous*

1405333 (Suzanne Bickers)

Accept Agreed Order which states that Respondent shall neither apply for nor be issued any teaching, administrative, or emergency certificate in the Commonwealth of Kentucky at any time in the future. Any future application submitted by Respondent, or on her behalf, shall be denied.

Vote: *Unanimous*

1306432 (Susan Lyons)

Accept Agreed Order admonishing Respondent for exercising poor professional judgment, and for neglect of

duty. The Board reminds Respondent of her ethical duty to take reasonable measures to protect the health, safety and emotional well-being of her students. Leaving students unsupervised for any length of time is unacceptable. Furthermore, the Board reminds Respondent that she must instruct students according to the curriculum of the district. The Board will not tolerate any further incidents of misconduct from Respondent.

Upon acceptance of this agreement by the Board, Respondent's certificate shall be subject to the following probationary conditions for a period of two (2) years:

1. On or before February 1, 2016, Respondent shall submit written proof to the Board that she has successfully completed twelve (12) hours of educator ethics professional development or training, with a focus on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition by February 1, 2016, Respondent's certificate shall be automatically suspended until such condition is satisfied.

2. Respondent shall not receive any disciplinary action for failing to properly supervise her students from any school district in which she is employed. Should Respondent fail to satisfy this condition during the probationary period, Respondent's certificate shall be automatically suspended for a period of five (5) 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. Respondent is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

140269 (Clay Dawson)

Accept Agreed Order admonishing Respondent for exercising poor professional judgment. The Board reminds Respondent that as a certified educator in the Commonwealth of Kentucky he has a duty to take

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reasonable measures to protect the health, safety, and emotional well-being of his students. As an administrator, it is his responsibility to ensure the proper procedures are being followed in his school at all times in order to ensure the safety of his students. The Board will not tolerate any further incidents of misconduct from Respondent.

Upon acceptance of this agreement by the Board, Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to the following probationary conditions:

1. On or before February 1, 2016, Respondent shall provide written proof to the Board that he has successfully completed six (6) hours of educator ethics professional development or training, with a focus on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition by February 1, 2016, Respondent's certificate shall be automatically suspended until such condition is satisfied.

2. On or before February 1, 2016, Respondent shall provide written proof to the Board that he has successfully completed a course, as approved by the Board, on successful leadership. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition by February 1, 2016, Respondent's certificate shall be automatically suspended until such condition is satisfied.

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

Vote: *Unanimous (Ms. Schneider recused)*

1211699 (William Anderson) Accept Agreed Order in which Respondent voluntarily, knowingly, and intelligently surrenders his Administrative Certificate, and agrees not to apply for, nor be issued an administrative certificate in the Commonwealth of Kentucky at any time in the future. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

1405341 (Marshall Forbes) Accept Agreed Order admonishing Respondent for

exhibiting a lack of professional judgment in his interactions with students. Exchanging personal text messages with a student is inappropriate no matter the intent. The Board reminds Respondent that he has a duty to maintain a professional approach with all his students, and to maintain the integrity of the profession both inside and outside the classroom. The Board will not tolerate any further incidents of misconduct from Respondent.

Upon acceptance of this agreement by the Board, Respondent's certificate and any future endorsements or new areas of certification shall be subject to the following probationary conditions:

1. On or before February 1, 2016, Respondent shall provide written proof to the Board that he has completed twelve (12) hours of educator ethics training, as approved by the Board, which shall include instruction on appropriate teacher/student boundaries. Any expense required to satisfy this condition shall be paid by Respondent. Should Respondent fail to satisfy this condition by February 1, 2016, Respondent's certificate shall be automatically suspended until such condition is satisfied.

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

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

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

Respondent is aware that should he violate KRS 161.120 in

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

Vote: *Unanimous*

CF14717 (Shelly Stacy)

Accept Agreed Order which states that upon acceptance of this agreement by the Board, Respondent shall be issued a Kentucky teaching certificate upon providing proof that she has met the academic and testing requirements necessary for issuance of a certificate, and has completed the following conditions:

1. Respondent shall submit written proof to the Board that she has complied with a comprehensive evaluation from a licensed or certified psychiatrist or mental health professional and is fit to return to the classroom, presents as capable of performing her duties as an educator, is not a danger to herself or others, and is compliant with all treatment recommendations. Respondent shall pay any expense incurred.
2. Respondent shall submit written proof to the Board that she has complied with a comprehensive alcohol/substance abuse assessment by a Kentucky licensed or certified chemical dependency counselor, as approved by the Board, and is compliant with all treatment recommendations. Respondent shall pay any expense incurred.
3. Respondent shall submit written proof to the Board that she was prescribed Suboxone by a licensed or certified physician on September 25, 2014. Respondent shall pay any expense incurred.
4. Respondent shall submit written proof to the Board that she has successfully completed the Alcohol Driver Education Program as required by the Fayette County District Court in Case No. 14-T-23464, and complied with all court orders entered in the case. Respondent shall pay any expense incurred.

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

1. On or before February 1, 2016, Respondent shall submit written proof to the Board that she has completed twelve (12) hours of professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition, any and all certificates issued to her shall be automatically suspended until such condition is satisfied.
2. On or before June 30th for a period of four (4) years from the date of initial issuance of the first certificate,

Respondent shall submit a state criminal background report. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition, any and all certificates issued to her shall be automatically suspended until such condition is satisfied.

3. With any application for renewal of a certificate and/or with any application for an additional certificate, Respondent shall submit a state and federal criminal background report to the Board. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition, renewal of her certificate and/or issuance of the additional certificate shall be denied.

4. For a period of five (5) years from the date of initial issuance of the first certificate, Respondent shall submit to random drug testing, to be administered by a provider approved by the Board, and shall receive no drug test that is positive for alcohol or any illegal substance or that is in excess of therapeutic levels generally accepted in the medical community. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition, any and all certificates issued to her shall be automatically permanently revoked.

5. Respondent shall have no further criminal convictions. If Respondent is convicted of any crime other than a minor traffic violation, any and all certificates issued to her shall be automatically permanently revoked. A violation is not considered a minor traffic violation if it is a violation for which jail time may be imposed.

6. Respondent shall have no disciplinary action involving use of alcohol or any illegal substance by any school district in which she is employed. If Respondent fails to satisfy this condition, any and all certificates issued to her 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.

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

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Vote: *Unanimous*

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

Vote: *Unanimous*

Meeting adjourned at 3:30 p.m.

Next Meeting: **April 13, 2015**
 9:00 AM
 EPSB Board Room
 Frankfort, Kentucky

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Consent Item B

Action Item:

Emergency Waiver of 16 KAR 5:040. Admission, Placement, and Supervision in Student Teaching

Applicable Statutes and Regulations:

KRS 161.020 and 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 Education Professional Standards Board waive regulation 16 KAR 5:040, Section 6 (4) which requires educator preparation institutions to provide seventy (70) full days, or its equivalent, of student teaching?

Background:

Inclement weather in the spring 2015 semester has forced school closings, delayed start times, and caused early dismissals in schools where student teachers in Kentucky educator preparation programs are assigned for their required 70 days of student teaching. Although students teachers and their programs have made good faith efforts to complete as many days as possible, (e.g., beginning student teaching earlier in the semester and ensuring the candidates student teach every day their assigned schools are open) some candidates' assigned schools will not be open enough days for the candidates to complete 70 days of student teaching before the close of the higher education institution's semester.

Kentucky's preparation programs are tied to their institutional calendars, which control operational matters such as contractual obligations of staff, availability of on-campus housing, dates by which credit must be awarded for students to maintain full-time enrollment status, dates by which credit must be awarded for students to be eligible to graduate, start dates of subsequent course offerings, and other similar challenges.

Staff is asking the board to waive 16 KAR 5:040, Section 6 (4) for the spring 2015 semester as it applies to affected candidates enrolled in programs whose unit heads have submitted waiver requests. Each waiver request is supported with documentation signed by the unit head indicating the name of each student teacher, the school and district, and the days affected student teachers assigned to that district were unable to participate in student teaching due to weather-related district school closures.

Alternative Actions:

1. Approve the proposed waiver of 16 KAR 5:040, Section 6 (4).
2. Modify the proposed waiver of 16 KAR 5:040, Section 6 (4).
3. Do not approve the proposed waiver of 16 KAR 5:040, Section 6 (4).

Staff Recommendation:

Alternative Action 1

Rationale:

Unscheduled weather-related school closings are beyond the control of the educator preparation providers that place student teachers in districts. With increased expectations regarding both the duration and quality of candidates' clinical experiences before and during the professional semester, Kentucky's educator preparation programs are taking steps to ensure all available days are used as student teaching days. Nevertheless, in some cases, weather-related school closings have made it impossible for student teachers to complete 70 full days of student teaching before the close of the spring 2015 higher education academic semester.

Contact Person:

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

Date:

April 13, 2015

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

RELATES TO: KRS 161.020, 161.028, 161.030, 161.042

STATUTORY AUTHORITY: KRS 161.028, 161.030, 161.042

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) Providing opportunities for the student teacher to:

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

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

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

4. Participate in regular and extracurricular school activities;

5. Participate in professional decision making; and

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

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

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

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

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

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**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item A

Information Item:

Notice of Intent to Amend 16 KAR 2:020. Occupation-based Career and Technical Education Certification

Applicable Statutes:

KRS 156.095, 161.020, 161.028, and 161.030

Applicable Goal:

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

Issue:

Should the EPSB approve amendments to 16 KAR 2:020 Occupation-based Career and Technical Education Certification?

Background:

EPSB staff met with the Kentucky Department of Education, Office of Career and Technical Education (KDE/OCTE), and university stakeholders on two separate face-to-face meetings and several electronic meetings to propose amending the language in 16 KAR 2:020. Updates of the language include the restructuring of the Office of Career and Technical Education of the Department of Workforce Investment to the Kentucky Department of Education Office of Career and Technical Education and to incorporate the CA-3 by reference. The proposed amendment to 16 KAR 2:020 includes the adoption of the new certification form, CA-3 Application for Occupation-Based Career and Technical Certification and Ranking. All new proposed certification forms will have the CA designation to ensure a smooth transition from the prior forms to the newly designed forms. The proposed CA-3 form also contains the newly adopted character and fitness questionnaire.

Contact Person:

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

Date:

April 13, 2015

1 **16 KAR 2:020. Occupation-based career and technical education certification.**

2 RELATES TO: KRS 156.095, 161.020, 161.028, 161.030

3 STATUTORY AUTHORITY: KRS 161.028, 161.030

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

5 require that teachers and other professional school personnel hold certificates of legal
6 qualifications for their respective positions to be issued upon completion of programs of
7 preparation prescribed by the Education Professional Standards Board. This administrative
8 regulation establishes the qualifications for teachers of occupation-based career and technical
9 education and implements the testing and internship requirements of KRS 161.030.

10 Section 1. (1) The certificates for occupation-based career and technical education
11 established in this administrative regulation shall be issued and renewed for occupation-based
12 career and technical education teachers employed by the public schools, the Office of Career and
13 Technical Education of the Department of Workforce Investment, the Kentucky Community and
14 Technical College System, or the Kentucky Department of Education.

15 (2) The certificates may be issued for any information technology, industrial education,
16 public service, health science, or human services occupation area for which programs may be
17 offered under the Kentucky Program of Studies established in 704 KAR 3:303.

18 (3) Certificates for occupation-based career and technical education established in this
19 administrative regulation:

20 (a) Shall be initially issued to teacher candidates who are employed based upon required
21 occupational experience in the subject area to be taught; and

22 (b) Shall not require a college degree for initial issuance.

23

1 Section 2. Issuance and Renewal of One (1) Year Provisional Certificates. (1) Initial
2 issuance. A provisional internship certificate for teaching occupation-based career and technical
3 education, valid for teaching only the subject or subjects stated on the face of the certificate, shall
4 be issued for a duration period of one (1) year upon completion of the following requirements:

5 (a) High school graduation or its equivalent determined by evidence of an acceptable
6 score on the general education development test administered by an approved testing center;

7 (b) Four (4) years of successful and appropriate occupational experience in the area to be
8 taught, with:

9 1. At least two (2) years of the occupational experience completed within the last five (5)
10 years. A maximum of one (1) year of the required work experience may be satisfied by
11 completion of an accredited vocational preparation program for the occupation to be taught; and

12 2. The occupational experience confirmed by the Kentucky Department of Education, the
13 Department of Workforce Investment, or the Kentucky Community and Technical College
14 System;

15 (c) The testing provisions established in 16 KAR 6:020; ~~and~~

16 (d) A national and state criminal background check performed in accordance with KRS
17 160.380(5) within twelve (12) months prior to the date of application; and

18 (e) An offer of employment from a local school district, the Kentucky Department of
19 Education, the Department of Workforce Investment, or the Kentucky Community and Technical
20 College System.

21 (2) First renewal of one (1) year provisional certificates. The first renewal of the one (1)
22 year provisional certificate shall require the successful completion of:

23 (a) The Kentucky Teacher Internship Program established in 16 KAR 7:010; and

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1 (b) Three (3) semester hours of credit in occupation-based career and technical education
2 laboratory/classroom management. This requirement may be met by successfully completing the
3 New Teacher Institute sponsored by the Department of Workforce Investment.

4 (3) Subsequent renewal of one (1) year provisional certificate. Any subsequent renewal
5 of the one (1) year provisional certificate after the successful completion of the internship shall
6 require:

7 (a) The completion of a minimum of six (6) semester hours of college credit for each
8 renewal selected from the sixty-four (64) semester hour planned program for the preparation of
9 teachers in information technology, industrial education, public service, health science, or human
10 services occupations established in Section 4 of this administrative regulation; and

11 (b) Documentation of completion of four (4) days of professional development as
12 required by KRS 156.095 and 158.070.

13 (4) Credit granted by a regionally- or nationally-accredited postsecondary institution for
14 occupational proficiency based upon past relevant experience or credit by examination shall not
15 be applied toward the provisional certificate renewal requirements.

16 (5) The one (1) year provisional certificate shall be limited to nine (9) one (1) year
17 renewals for a total validity period of ten (10) years, which do not need to be consecutive.

18 (6) Upon completion of the sixty-four (64) hour planned program established in Section 4
19 of this administrative regulation, the teacher shall:

20 (a) Receive the professional certificate established in Section 3 of this administrative
21 regulation; and

22 (b) Adhere to the subsequent renewal requirements established in Section 3(3) of this
23 administrative regulation.

1 Section 3. Issuance and Renewal of the Professional Certificate. (1) Initial issuance. A
2 professional certificate for teaching occupation-based career and technical education, valid for
3 teaching only the subject or subjects stated on the face of the certificate, shall be issued for a
4 duration period of one (1) year upon completion of the following requirements:

5 (a) Compliance with Section 2(1) of this administrative regulation; and

6 (b) The completion of a planned program consisting of a minimum of sixty-four (64)
7 semester hours of college credit established in Section 4 of this administrative regulation.

8 (2) First renewal.

9 (a) The first renewal shall require the successful completion of the Kentucky Teacher
10 Internship Program established in 16 KAR 7:010.

11 (b) Upon meeting the requirements established in paragraph (a) of this subsection, the
12 teacher shall receive the professional certificate valid for an additional four (4) years.

13 (c) An occupation-based career and technical education teacher who has successfully
14 completed the Kentucky Teacher Internship Program prior to issuance of the initial professional
15 certificate or who is not required to complete the internship program under the requirements for
16 out-of-state teachers established in KRS 161.030(5) shall not be required to complete the
17 internship program again while serving on the professional certificate.

18 (3) Subsequent renewal. The professional certificate shall be renewed for subsequent five
19 (5) year periods upon completion of:

20 (a) Three (3) years of teaching or occupational experience in the occupational specialty;

21 or

22 (b) Six (6) semester hours of college credit related to the certification area.

23 Section 4. The planned program for occupation-based career and technical education
24 teachers shall:

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1 (1) Include a minimum of sixty-four (64) semester hours of college credit with at least
2 twenty-four (24) semester hours in academic and professional education preparation during the
3 first four (4) years of certificate validity;

4 (2) Utilize the proficiency evaluation established in 16 KAR 5:030;

5 (3) Be based upon the experienced teacher standards established in 16 KAR 1:010;

6 (4) Meet the specialty program association standards established in 16 KAR 5:010; and

7 (5) Be accredited by the Education Professional Standards Board using the applicable
8 standards and procedures established in 16 KAR 5:010.

9 Section 5. Information Technology Teachers. (1) A teacher shall possess one (1) of the
10 following credentials to instruct in the field of information technology:

11 (a) Provisional certificate established in Section 2 of this administrative regulation;

12 (b) Professional certificate established in Section 3 of this administrative regulation;

13 (c) Computer information systems certificate established in 16 KAR 2:010;

14 (d) Computer science endorsement established in 16 KAR 2:010; or

15 (e) Instructional computer technology endorsement established in 16 KAR 2:010.

16 (2) If a qualified teacher is not available for the position of information technology
17 teacher, as attested to by the local school superintendent or the Commissioner of the Department
18 of Workforce Investment, a one (1) year probationary certificate may be issued under the
19 requirements established in 16 KAR 2:190.

20

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**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item B

Information Item:

Notice of Intent to amend 16 KAR 4:030 Out-of-state educator preparation

Applicable Statutes:

KRS 161.020; KRS 161.028; KRS 161.030; KRS 161.124; KRS 161.126; 16 KAR 5:030; 16 KAR 5:060

Applicable Goals:

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.

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

Background:

At its August 2012 meeting, the EPSB chartered the Literacy Preparation Advisory Committee (LPAC) and charged LPAC with reviewing the literacy instruction preparation currently provided in Kentucky's educator preparation programs for middle school, high school, and P-12 initial certification areas; examining relevant research and information related to best practices in literacy preparation; and making recommendations to the board regarding literacy instruction preparation. LPAC's charges reflected state legislative directives and national policy recommendations.

LPAC presented recommendations to the EPSB at its January 27, 2014, meeting. These recommendations included requiring literacy preparation in all approved preparation programs that result in certification to teach any grade or grades 6 through 12, as well as requiring applicants for Kentucky teaching certificates on the basis of out-of-state credentials to demonstrate comparable preparation. LPAC further recommended that the instruction and assessment be provided in one or more literacy or content courses taught by faculty qualified to deliver literacy instruction. At its April 28, 2014, meeting the EPSB adopted the International Reading Association's Standards for Reading Professionals—Revised 2010 guidance for the professional educator role Middle and High School Content Classroom Teacher. A Notice of Intent was presented to the EPSB at its August 11, 2014, meeting. After minor revisions to the proposed regulation based on stakeholder input, the EPSB at its October 13, 2014, meeting adopted 16 KAR 5:060, Literacy Preparation for Teachers of Middle and High School Students.

As outlined in previous staff notes and discussions related to 16 KAR 5:060, the LPAC recommended adoption of a similar requirement for applicants for Kentucky teaching certificates on the basis of out-of-state certification. Staff indicated that proposed amendments to the EPSB's out-of-state teacher regulation, 16 KAR 4:030, would be presented to the board in a timely manner to ensure synchronized implementation and application to teachers prepared by both in-state and out-of-state programs.

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The amendments to 16 KAR 4:030 ensure that teachers with middle school, high school, and P-12 certificates who were prepared by out-of-state preparation programs are prepared to address the literacy needs of students in Kentucky classrooms equitably with teachers prepared by in-state accredited teacher preparation programs. Specifically, Section 2 (3) requires those applicants to demonstrate the same standards required for candidates prepared by in-state teacher preparation programs within 5 years of receiving a Kentucky teaching certificate.

Within existing regulations, this requirement may be met in three different ways within five years of issuance of a Kentucky teaching certificate:

- (1) an applicant prepared by an out-of-state preparation program could demonstrate satisfactory completion of coursework aligned to the same standards required for candidates prepared by in-state teacher preparation programs by presenting to the EPSB Division of Certification course syllabi and transcripts of credit awarded by an out-of-state institution accredited by the Council for the Accreditation of Educator Preparation;
- (2) an applicant prepared by an out-of-state preparation program could demonstrate satisfactory completion of coursework aligned to the standards required for candidates prepared by in-state teacher preparation programs by presenting to the EPSB Division of Certification course syllabi and transcripts of credit awarded by an in-state preparation program accredited by the EPSB;
- (3) an applicant prepared by an out-of-state preparation program could demonstrate the standards required for candidates prepared by in-state teacher preparation programs by presenting to the EPSB Division of Certification evidence of a proficiency evaluation carried out by an in-state preparation program accredited by the EPSB in accordance with 16 KAR 5:030, proficiency evaluation.

Adoption of the proposed amendments to 16 KAR 4:030 will ensure that Kentucky teachers are prepared to meet the literacy instruction needs of all students. The proposed amendments equitably apply expectations for middle school, high school, and P-12 teachers prepared by in-state preparation programs to middle school, high school, and P-12 teachers prepared by out-of-state preparation programs.

Groups/Persons Consulted:

Literacy Preparation Advisory Committee
Higher education literacy faculty (public and private institutions)
Higher education arts and sciences faculty (public and private institutions)
Education Professional Standards Board teacher member
Kentucky Department of Education staff
Council on Postsecondary Education staff
P-12 administrators
P-12 teachers (in addition to an EPSB teacher member)
Prichard Committee representative
Literacy consultant (co-chair of the International Reading Association's Common Core Standards Committee and member of IRA's Board of Directors when the Standards for Reading Professionals: 2010 were adopted)
Educator preparation programs

Contact Person:

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

Date:

April 13, 2015

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

RELATES TO: KRS 161.020, 161.028, 161.030, 161.124, 161.126

STATUTORY AUTHORITY: KRS 161.020, 161.028, 161.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020 and 161.030 require that a teacher and other professional school personnel hold a certificate of legal qualifications for the respective position to be issued upon completion of a program of preparation prescribed by the Education Professional Standards Board. KRS 161.028 requires the Education Professional Standards Board to establish the standards for obtaining and maintaining a teaching certificate. This administrative regulation establishes the certification provisions for applicants with out-of-state educator preparation.

Section 1. (1) An applicant for Kentucky teacher or administrative certification whose professional preparation was completed at an educator preparation provider ~~[institution]~~ located outside the Commonwealth of Kentucky and not accredited by the Education Professional Standards Board shall have completed a program of preparation and the curriculum requirements approved by the responsible state education agency for teacher or administrative certification.

(2) An applicant for Kentucky teacher or administrative certification who completes a professional preparation program through an online educator preparation provider not subject to the licensing requirements of 13 KAR 1:020 and not accredited by the Education Professional Standards Board shall have completed an educator preparation program at an online educator preparation provider that is accredited or approved, as applicable, by the provider's state of origin, regionally accredited, and accredited by the Council for Accreditation of Educator Preparation (CAEP) and the curriculum requirements approved by the responsible state education agency for teacher or administrative certification.

Section 2. Teacher Certification. (1) An applicant for Kentucky teacher certification whose professional preparation was completed at an educator preparation provider ~~[institution]~~ located outside the Commonwealth of Kentucky and not accredited by the Education Professional Standards Board shall:

(a) Possess a teacher license or certificate equivalent to the Kentucky statement of eligibility from the state, territory, or province where the applicant completed his or her preparation program;

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

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

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

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

(3) (a) Beginning July 1, 2016, in addition to any other certification renewal requirements, an applicant for Kentucky teacher middle school, high school, Grades 5-12, and Grades P-12 teacher certification whose professional preparation was completed at an educator preparation provider located outside the Commonwealth of Kentucky and not accredited by the

Education Professional Standards Board shall within five (5) years of receiving certification complete the following:

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

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

(b) The course or courses submitted by an an applicant for Kentucky teacher middle school, high school, Grades 5-12, and Grades P-12 teacher certification whose professional preparation was completed at an educator preparation provider not accredited by the Education Professional Standards Board shall meet the following requirements:

1. The course or courses shall ensure that each candidate demonstrates the six (6) International Reading Association Standards 2010: Middle and High School Content Classroom Teacher;

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

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

4. The faculty assigned to teach each course aligned to demonstrate the six (6) International Reading Association Standards 2010: Middle and High School Content Classroom

Teacher shall be qualified to teach a course aligned to the six (6) International Reading Association Standards 2010: Middle and High School Content Classroom Teacher.

Section 3. Administrative Certification. (1) An applicant for Kentucky administrative certification whose professional preparation was completed at an educator preparation provider ~~[institution]~~ located outside the Commonwealth of Kentucky and not accredited by the Education Professional Standards Board shall:

(a) Possess an administrative license or certificate equivalent to the Kentucky corresponding statement of eligibility or administrative certificate from the state, territory, or province where the applicant completed his or her preparation program;

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

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

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

(2) An applicant for Kentucky administrative certification whose professional preparation was completed at an educator preparation provider located outside the Commonwealth of Kentucky and not accredited by the Education Professional Standards Board and who meets the requirements of Section 1 of this administrative regulation and subsection (1) of this section shall be issued a Kentucky administrative certificate or statement of eligibility established in 16 KAR Chapter 3 corresponding to the out-of-state preparation.

(3) An applicant for Kentucky principal certification who was admitted to a principal preparation program located outside the Commonwealth of Kentucky prior to January 1, 2012

and who completes the program prior to January 31, 2014 shall be exempt from subsection (1)(c) of this section.

Section 4. (1) An out-of-state applicant shall be subject to the testing and internship requirements of KRS Chapter 161 and implementing administrative regulations of the Education Professional Standard Board in KAR Title 16.

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

Section 5. Incorporation by Reference. (1) "The Standards for Reading Professionals – Revised 2010", 2010, is incorporated by reference.

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

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item C

Information Item:

Adoption of the Council for the Accreditation of Educator Preparation Standards

Applicable Statutes and Regulations:

KRS 161.020; 16 KAR 5:010

Applicable Goal:

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

Issue:

Should the Education Professional Standards Board adopt the Council for the Accreditation of Educator Preparation Standards as the accreditation standards for all educator preparation providers accredited by the Education Professional Standards Board?

Background:

The Education Professional Standards Board currently uses the National Council for the Accreditation of Teacher Education (NCATE) standards as its accreditation standards for educator preparation providers. NCATE has consolidated with the Teacher Education Accreditation Council (TEAC) to form the Council for the Accreditation of Educator Preparation (CAEP). On January 26, 2014, Dr. James Cibulka, President of CAEP, met with the EPSB in a work session to review CAEP's then new accreditation standards for educator preparation providers. The CAEP standards replace the standards of two predecessor organizations, NCATE and TEAC.

The CAEP standards are foundational to CAEP's operation as an accreditor; the standards are the basis for CAEP's accreditation decisions. In addition, Goal 1 of the EPSB's Strategic Plan necessitates adoption of these standards: "By August 1, 2021, 100% of Kentucky Educator Preparation Programs (EPPs) will achieve or maintain state accreditation and Council for the Accreditation of Educator Preparation (CAEP) accreditation upon their next regularly scheduled accreditation visit, in accordance with timelines established by the EPSB and CAEP."

On March 3, 2014, the EPSB was presented an information item regarding the new CAEP standards. That item included an assurance that additional information regarding adoption would be brought to the board when necessary supporting documents became available. Since that time, the CAEP Accreditation Manual has been released in draft form and subsequently revised; Standards for Advanced Programs have been released, with guidance for implementation expected to be complete in fall 2015; and minor revisions have been made to CAEP Standard 3, Candidate Quality, Recruitment, and Selectivity. Copies of current versions of the available documents are provided under separate cover and are available online at https://caepnet.files.wordpress.com/2015/03/caep_accreditation_manual.pdf. The CAEP Board

Agenda Book

of Directors retains authority to revise the documents and standards further.

Adoption of the CAEP standards would serve as notice to preparation programs that the CAEP standards will be the accreditation standards for all educator preparation programs accredited by the Education Professional Standards Board. The timeline for application of these standards by the EPSB will parallel the timeline for application of these standards by CAEP, as provided in Appendix A of the CAEP Accreditation Manual.

Persons/Groups Consulted:

Kentucky Association of Colleges for Teacher Education
Program and Accreditation Review Committee (PARC)
Council for the Accreditation of Educator Preparation

Contact Person:

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

Date:

April 13, 2015

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item

Action Item

Kentucky Teacher Internship Program and Budget

Applicable Statutes and Regulation

KRS 161.017 (1) (e)

KRS 161.030 (7)

16 KAR 7:030

Applicable Goal

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

Issue

Should the Education Professional Standards Board (EPSB) approve the allocation of FY16 funds for administering the Kentucky Teacher Internship Program (KTIP) based upon the proposed budget?

Background

The KTIP budget for the fiscal year 2016 is based on the state budget by the 2014 General Assembly. Additionally, EPSB staff members have been informed that a proposal from the Office of Career and Technical Education (CTE) staff does include financial support for interns in career and technical education classrooms; however, the amount will not be available at the time of the April 13, 2015, EPSB regularly scheduled meeting.

Alternative Actions

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

Staff Recommendation

Alternative 1

Rationale

EPSB staff is requesting approval of the allocation of KTIP funds for fiscal year 2016. This allocation will allow staff to communicate to universities and districts the amount of the resource teacher stipend, the number of hours for resource teacher consulting services, the allocation of funds for university services, and the maximum number of interns to be funded. It will also allow EPSB to move forward with contracts for FY16 and CTE contracts should Perkins funds become available.

Contact Person:

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

Date:

April 13, 2015

2015-2016 KTIP Budget as of 4/13/15

Due to continued budget restraints, limitations were set on the number of interns that could be served and the funds available for resource teachers, teacher educators, substitute teachers, and other necessary expenditures. In recent years, however, the Office of Career and Technical Education (CTE) has made available Carl D. Perkins Vocational and Technical Funds to assist with the funding of KTIP. Budget constraints have resulted in a delayed allocation to KTIP from the Perkins grant, though EPSB staff members have been informed that a proposal from CTE staff does include financial support for interns in career and technical education classrooms.

Based on the current KTIP allocation, EPSB will set the resource teachers' stipends and hours of out-of-class service, the rate to be paid to universities for teacher educator services, and the maximum number of teachers that can be funded with KTIP funds in 2015-2016. CTE funds will not be included in the budget at this time. The resource teacher stipend will remain at an hourly rate of \$28 per hour for 40 hours in consultation with the intern outside the regular classroom, resulting in a resource teacher stipend of \$1,120 per intern.

The EPSB is able to reduce the number of out-of-class hours from 50 to 40 hours due to notwithstanding language included in the biennial budget. It is important to note that the university funding per intern is being increased this year by \$45 to \$308. The purpose for this increase is due to the amount of training necessary (an estimated 4000 people) to educate all committee members on the new KTIP which is aligned to PGES. In order to accommodate for this increase, contracts will start on May 15, 2015, and run through June 30, 2016. Please note that the maximum enrollment of 2,364 interns into KTIP has not changed from FY15.

The budget spreadsheet is provided below. Should CTE Perkins funds become available, the maximum enrollment into KTIP will increase to coincide with the number of interns that can be funded by CTE funds.

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	2015		2016	
	Fiscal Year 2015 Budget		Fiscal Year 2016 Actual	
	\$1120 Stipend for Resource Teachers		\$1120 Stipend for Resource Teachers	
<u>Public and Private School Interns</u>				
Enacted Budget		\$ 3,270,300		\$ 3,376,300
Budget Reduction				
Adjusted Budget		3,270,300		3,376,300
Resource Teacher Stipends	\$ 1,120	\$ 2,647,680	\$ 1,120	\$ 2,647,680
Substitute Teacher Reimbursement		\$ -		\$ -
Teacher Educator and Training Costs	\$ 263	\$ 621,732	\$ 308	\$ 728,112
Refunds from Prior Yr Contracts				
Total costs for all other Interns	\$ 1,383	3,269,412	\$ 1,428	3,375,792
Remaining Funds		\$ 888		\$ 508
No. of FY Interns funded by KTIP (FTE)		2,364		2,364
No. of Half Year Interns funded by KTIP		-		-
No. of new teachers not funded by KTIP		-		-
Total		2,364		2,364
<u>Career and Technical School Interns</u>				
Revenue - Perkins Grant Funds		\$ 90,000		
Resource Teacher Stipends	\$ 1,120	\$ 67,200		\$ -
Substitute Teacher Reimbursement	\$ -	\$ -	\$ -	\$ -
University Costs (8 Contracts)	\$ 401	\$ 24,060		\$ -
Refunds from Prior Yr Contracts				
Total costs for all other Interns		\$ 91,260		\$ -
Remaining Funds		\$ (1,260)		\$ -
No. of FY Interns funded by KTIP		60		
No. of Half Year Interns funded by KTIP		-		-
No. of new teachers not funded by KTIP		-		-
Total		60		-

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver A

Action Item:

Request for Waiver of the Board's decision to notate periods of suspension and/or revocations on certificates when reissued

Applicable Statute, Regulation, or Board Action:

Board action 2004-054

Applicable Goal:

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

Issue:

Should the Education Professional Standards Board waive the Board decision to notate periods of suspension and/or revocations on the certificate of a teacher who was suspended for six (6) weeks beginning June 30, 2003?

Background:

By agreed order dated May 19, 2003, Susan Chavira Price's teaching certificate was suspended for six weeks beginning June 30, 2003, due to a testing violation involving her own child. Staff has provided the relevant documents from Ms. Price's disciplinary file for the Board's review. In August 2004, the Education Professional Standards Board approved notating periods of suspension or revocation on reissued certificates. Suspension and revocation dates are automatically notated on any certificate that is renewed or reissued pursuant to the August 2004 decision.

Extraordinary Circumstances

Ms. Price contends that her professional conduct over the last twelve (12) years, since accepting the Board's punishment, justifies removing the public notation of her suspension.

Alternative Actions:

1. Approve the waiver request.
2. Do not approve the waiver request.

Contact Person:

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

Date:

April 13, 2015

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver B

Action Item:

Request for Waiver of the Board's decision to notate periods of suspension and/or revocations on certificates when reissued

Applicable Statute, Regulation, or Board Action:

Board action 2004-054

Applicable Goal:

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

Issue:

Should the Education Professional Standards Board waive the Board decision to notate periods of suspension and/or revocations on the certificate of a teacher who was suspended from June 20, 2006, through June 25, 2006?

Background:

By agreed order on October 25, 2010, Timothy Carver's teaching certificate was retroactively suspended for five (5) days beginning June 20, 2006, due to boundary crossing comments made to students. Staff has provided the relevant documents from Mr. Carver's disciplinary file for the Board's review. In August 2004, the Education Professional Standards Board approved notating periods of suspension or revocation on reissued certificates. Suspension and revocation dates are automatically notated on any certificate that is renewed or reissued pursuant to the August 2004 decision.

Extraordinary Circumstances

Mr. Carver feels he cannot gain employment in any school or in any state because of the agreed order he signed.

Alternative Actions:

1. Approve the waiver request.
2. Do not approve the waiver request.

Contact Person:

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

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver C

Action Item:

Request to Waive Admission Requirements to a Superintendent Program

Applicable Statutes and Regulation:

16 KAR 3:010, Section 1 (c)

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) waive the required 2-years administrative experience for admission into a superintendent program?

Background:

A waiver of the admission requirements to the superintendent program is requested from Eastern Kentucky University on behalf of Jackie Rogers. Jackie Rogers is a first-year principal who currently serves as the Science Hill Elementary School principal.

16 KAR 3:010, Section 1 (c) requires at least two (2) years of experience in a position of school principal, supervisor of instruction, guidance counselor, director of pupil personnel, director of special education, school business administrator, local district coordinator of vocational education, or a coordinator, administrator, or supervisor of district-wide services. Other administrative experience may be substituted for this requirement with the approval of the Education Professional Standards Board.

Jackie Rogers' experience as a curriculum specialist has been submitted for consideration as "other administrative experience." The job description provided by the local school district is under separate cover.

Alternative Actions:

1. Approve the waiver request
2. Do not approve the waiver request

Contact Person:

Dr. Kim Walters-Parker, Director
Division of Professional Learning and Assessment
(502) 564 – 4606
E-mail: Kim.Walters-Parker@ky.gov

Date:

April 13, 2015

16 KAR 3:010. Certification for school superintendent.

RELATES TO: KRS 161.020, 161.028, 161.030

STATUTORY AUTHORITY: KRS 161.028, 161.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1)(b) requires that the Educational Professional Standards Board promulgate administrative regulations establishing standards and approval requirements for teacher and other professional school preparation programs. KRS 161.030 requires the board to promulgate administrative regulations establishing requirements for the authorization of a certificate issued under KRS 161.010 to 161.126. This administrative regulation establishes the preparation and certification program for school superintendent.

Section 1. Conditions and Prerequisites. (1) The professional certificate for instructional leadership - school superintendent shall be issued to an applicant who has completed:

(a) An approved program of preparation, as required by this administrative regulation and pursuant to 16 KAR 5:010;

(b) The appropriate requirements for certification, as established in 16 KAR Chapter 3; and

(c) At least two (2) years of experience in a position of school principal, supervisor of instruction, guidance counselor, director of pupil personnel, director of special education, school business administrator, local district coordinator of vocational education, or a coordinator, administrator, or supervisor of district-wide services. Other administrative experience may be substituted for this requirement with the approval of the Education Professional Standards Board.

(2) The professional certificate for instructional leadership - school superintendent shall be valid for the position of school superintendent or assistant superintendent.

(3) Prerequisites for the program of preparation for the professional certificate for instructional leadership - school superintendent shall include:

(a) Qualifications for a Kentucky teaching certificate;

(b) Admission to the preparation program on the basis of criteria developed by the teacher education institution pursuant to 16 KAR 5:010;

(c) Completion of a master's degree;

(d)1. Except as provided in subparagraph 2 of this paragraph, completion of the Levels I and II preparation and certification for the position of school principal, or supervisor of instruction; or

2. For a candidate who completed preparation for principal prior to 1988, completion of the assessments for administration; and

(e) Completion of at least three (3) years of full-time teaching experience, including at least 140 days per year.

UNDER SEPARATE COVER
April 13, 2015

While we make conscientious effort to redact personally identifiable information on documents such as transcripts, pulling these documents into a separate section is another means to protect the individual's privacy.

The following items, referenced by Staff Note and Agenda Book page numbers are placed under this separate cover:

Section	Item(s)	Staff Note/Agenda Reference
A	Commissioner Holliday's Report	Report from the Kentucky Department of Education (Item A under Report of the Executive Director the agenda)
B	President King's Report	Report from the Council on Postsecondary Education (Item B under Report of the Executive Director on the agenda)
C	CA- 3 Form	16 KAR 2:020. Occupation-based Career and Technical Education Certification, Amendment, Notice of Intent (Info. Item A on the agenda, Pages 41-48)
D	Link to Amended CAEP Standards, Letter from Jim Cibulka, AACTE Board Resolution	Council for the Accreditation of Educator Preparation Standards (Info. Item C on the agenda, Pages 59-60)
E	Kerry Chavira Documents	Request for Waiver of the Board's Decision to Notate Periods of Suspension and/or Revocations on Certificates When Reissued, Ms. Kerry Chavira (Waiver A on the agenda, Pages 67-68)
F	Tim Carver Documents	Request for Waiver of the Board's Decision to Notate Periods of Suspension and/or Revocations on Certificates When Reissued, Mr. Tim Carver (Waiver B on the agenda, Pages 69-70)
G	EKU Letter	16 KAR 3:010. Request to Waive Admission Requirements Pertaining to the Professional Certificate for Instructional Leadership-Superintendent, All Grades, Eastern Kentucky University on Behalf of Ms. Jackie Rogers (Waiver C on the agenda, Pages 71-73)

If you prefer to add these documents within the Agenda Book, please insert:

Pages A1- A2 after page ii; Pages D1 – D5 after page 60; Page G1 after page 73.

Pages B1- B3 after page ii; Pages E1 – E25 after page 68;

Page C1- C4 after page 48; Pages F1 – F37 after page 70; and

**Commissioner Terry Holliday's Report
Education Professional Standards Board Meeting
April 13, 2015**

Retirement Announced – At the April 1 Kentucky Board of Education meeting, I announced my retirement as commissioner of education, effective August 31, 2015. I am humbled and very proud to end my 43 years in public education by serving the Commonwealth of Kentucky. For the last six years, it has been my honor to work with an outstanding and supportive Governor, a committed State Board of Education, steadfast partner agencies and constituent groups, a high performing Department of Education staff and passionate educators across the Commonwealth. It also has been a privilege to work with Executive Director Robert Brown and the Education Professional Standards Board in the quest to ensure an effective educator preparation and certification system so that our students are taught by highly-qualified teachers.

Kentucky's ESEA Four-Year Waiver Submission Approved – As you are aware, KDE submitted its four-year ESEA waiver renewal application to the U.S. Department of Education the end of January. On March 31, USED announced that Kentucky's request was approved. This is a tremendous accomplishment that represents many hours of staff work and provides the state the opportunity to continue its Unbridled Learning system.

While the four-year waiver will allow many elements to be continued as well as some new ones to be implemented, the major points to note are that it offers the opportunity to:

- implement the latest revisions to the accountability system approved by the Kentucky Board of Education in February that aim to make the system more valid, reliable and fairer
- continue to use one accountability system (Unbridled Learning) for state and federal purposes focused on continuous improvement instead of having to continue the No Child Left Behind system where almost all schools would be labeled as failing
- implement a new statewide plan that will close achievement gaps through reducing the number of students scoring Novice on the state test and providing additional supports to schools and districts
- continue the focus on increasing the college- and career-readiness rate and the graduation rate
- move forward with the aligned, statewide evaluation system for teachers, principals and superintendents that stresses professional growth, effectiveness and continuous improvement
- strengthen the supports for Priority Schools (low-achieving schools) that do not exit this status in three years

Opting-out of Common Core State Standards and Testing is NOT an Option – As part of the campaign against the Common Core State Standards (CCSS) and standardized testing, national pundits are urging parents to sign an opt-out form and submit it to their child's school. In Kentucky, schools and districts are not permitted to honor a parent's request to opt-out of CCSS or statewide testing.

Students may only be excused from statewide assessments upon completion and approval of the Medical Nonparticipation Form or Extraordinary Circumstances Nonparticipation Form. Guidance from the Kentucky Department of Education's Office of Guiding Support Services and General Counsel concerning the legal reasons students may not opt out of standards-based instruction or testing has been sent to school districts.

Kentucky Board of Education Meeting Update - The Kentucky Board of Education recently met on April 1. Highlights of the meeting included approval of amendments to the regulation that specifies guidelines for the Professional Growth and Effectiveness System, review of the progress on the state's Teacher Equity Plan, approval of amendments to the regulation that denotes the requirements of the kindergarten screener and review of the budget process for the next biennium. The agenda and meeting materials can be found at the following link: <https://portal.ksba.org/public/Meeting.aspx?PublicAgencyID=4388&PublicMeetingID=13190&AgencyTypeID=1>.

The next meeting will occur on June 3, 2015 in Frankfort.

Education Professional Standards Board
April 13, 2015
Report from the President of the
Council on Postsecondary Education

CPE February Meeting:

The Council on Postsecondary Education met on Friday, February 13 at the Council on Postsecondary Education in Frankfort and took action on several items and heard a variety of reports.

- **CPE Board signed the Kentucky Rising Resolution**
- **Two new programs were approved:**
 - Bachelor of Arts in Modern and Classical Languages, Literature and Cultures from the University of Kentucky
 - Master of Fine Arts in Creative Writing from Western Kentucky University
- **Three capital projects were approved:**
 - Kentucky State University's project "Acquire Enterprise Resource Planning Information Technology System," funded with institutional and federal funds, with a project scope of \$2,600,000;
 - Morehead State University's project "Construct Food Service, Retail Space and Parking Structure," funded with auxiliary services funds and private funds, with a project scope of \$17,600,000; and
 - Western Kentucky University's project "Confucius Institute Facility," funded with private funds, with a project scope of \$2,300,000.
- **Two students from Elkhorn Crossing School in Georgetown presented their research, Continuation of an Antibacterial Bite Guard at the Council meeting.**
- **Reports from the following institutions were given:**
 - AIKCU, EKU, KCTCS, KYSU, MoSU, MuSU, NKU, UK, UofL, and WKU
- **The next Council meeting will be held April 16 and 17 at Morehead State University.**

CPE Initiatives Updates:

- **Redesign of Developmental Education**
 - A grant contract for Morehead for redesigning developmental literacy courses was completed and the final contract language has been approved.
 - The guiding principles document for developmental education transformation through accelerated and co-requisite program models has been reviewed and modified based on institutional comments. The revised version will be distributed with the College Readiness Leads.
 - A College Readiness module has been reviewed and finalized for the professional learning website for postsecondary faculty. It is available at www.kycorestandards.org.
- **Pathways into Programs of Study**
 - A Developmental Education, College Readiness, and Dual Credit Planning Document has been created to look to the future for the needs of each of these areas. The document includes a plan for creating quantitative reasoning pathways draft documents that will be ready for discussions with institutional representatives by the end of April.
- **Core to College**
 - Work continues with Northern Kentucky University's College of Applied Informatics to create the Core to College brand and website for the online catalog of professional learning activities and providers. The site will include the work of the Kentucky Partnership Academies and Kentucky Leadership Networks and is funded through the Core to College Communications Grant.
 - CPE released the Partnership Academy Extension Grant Request for Proposals to work collaboratively with schools to provide targeted professional learning programs that support the implementation of the Kentucky Department of Education's new statewide Professional Growth and Effectiveness System (PGES) and the schools Professional Learning Plan. Proposals were due March 6, 2015.
 - Planning is underway for the P-20 Partnerships for Professional Learning Convening that will bring together and highlight initiatives that work to provide professional learning experiences to improve college readiness, student

success and the professional growth and effectiveness of educators. The Convening will be held on Friday, April 10, 2015 at the Louisville Marriott East.

- **Clinical Preparation of Teachers**
 - CPE has released Clinical Model extension grant requests
 - CPE has released a Mathematics Clinical Model RFP that will be in collaboration with Kentucky Center for Mathematics, due by April 15, 2015
- **Annual Student Success Summit**
 - The 2015 Student Success Summit was held March 30 – 31 at the Louisville Marriott East. The theme for the summit is “Learning for the 21st Century: Higher Education’s Value Commitment.” Speakers include Debra Humphreys, VP for Policy and Public Engagement, AAC&U; Jose Bowen, President of Goucher College and author of *Teaching Naked*; Ray Angle, Director of University Career Services, UNC; Dr. Michael Benson, President, EKU; Kati Lewis, e-Portfolio Director, Salt Lake Community College; and Tracy Slagter, Associate Professor and Interim Director of University Studies, University of Wisconsin Oshkosh.
- **Faculty Development Work Group**
 - The workgroup met on February 13th to review Pedagogicon submissions. Plans are underway for the summer retreat, which will focus on creating ways for faculty developers across the state to share resources.
- **Academic Common Market**
 - Students are preparing for the 2015/2016 academic year. Sixteen students have completed their residency determination process for fall 2015 ACM participation. The out-of-state institutions they will be attending are:
 - University of Tennessee, Knoxville
 - Coastal Carolina University
 - University of Alabama
 - Middle Tennessee University
 - University of Arkansas
- **State Inter-Agency Council for Services to Children with Emotional Disabilities (SIAC)**
 - A meeting was held on March 25, 2015.
 - CPE staff serve as representatives on the Service Array Standing Committee (Sarah Levy) and the Continuous Quality Improvement Standing Committee (Bruce Brooks).
- **Governor’s Minority Student College Preparation Program**
 - The Annual GMSCPP Conference will be hosted by Murray State University, June 15-16, 2015, The day and a half event will introduce middle and junior high school students to STEM-H activities. Approximately 250 students from across KY are expected to participate.
- **Academically Proficient High School Jr/Sr Diversity Conference**
 - Council staff has partnered with administrators from the University of Louisville to host the 2015 Academically Proficient High School Jr/Sr Diversity Conference. The conference will be held at the Belknap campus, June 19-20, 2015. Approximately 250-300 students and parents/guardians are expected to participate. A college and career fair will also take place during the conference.
- **Kentucky Learning Depot**
 - Establishing new consortium with new and existing partners to house affordable textbooks, “homegrown” content and the National Repository of Online Courses (NROC) content. Finalizing Biblioboard pilot costs and proposal to replace Equella platform.

GEAR UP

- **Direct Services to Students & Parents**
 - **Direct Services** - Direct Services, including classroom curriculum delivery, enrichment services, mentoring, advising, and parent engagement continued as planned for three cohorts of students in 51 GUK schools in 21 districts across the 6 regions of the program.
 - A total of 14,584 Access & Readiness Service activities were delivered to 2,549 students in February.
 - **Parent Services** – In February 6,752 parents participated in the GUK parent services. Beginning in late-January we offered four primary strategies: 1) GUK Family and Community Zone (FCZ), 2) the Community Connection Forum, Community Connection Forum, and 4) Take the LEAD.
 - **Enrichment Services** – The student application/review process began for the 2015 GEAR UP Summer Academies. The three-week, residential, enrichment program is expected to serve 150+ students and will be expanded this year to a third campus. Participating institutions include the University of Kentucky, Western Kentucky

University, and the University of Louisville. Subsequent reports will highlight content focus, enrollment stats, feedback.

- **School Improvement Services**

- **Sustainability Summits**

- A Regional Sustainability Summit was planned to be held simultaneously in 5 locations across the program. With “sustainability” as the theme, the event was to be hosted centrally and connected via the ITV backbone of the Commonwealth’s postsecondary system. The intended audience was GUK school and district leadership. Data profiles were developed for each district and local facilitators were identified and trained. Nearly 100 participants were registered. Ultimately the event was postponed due to weather. A new date was set for March 16th

- **Other Program Activities**

- Six staff plus Dr. Aaron Thompson attended the annual Capacity-Building Workshop in Philadelphia.
 - Staff participated predetermined program tracks, including: Grant Management, Data-Based Decision Making, Evaluation, Advancing College Readiness Through Effective Programming, Parent Engagement, Helping High School Students Earn College Credit, Coordinator’s Roundtables, Directors’ Network, and Closing the STEM Gap
 - Dawn Offutt, *Coordinator for Direct Services* was invited by the National Council for Community and Education Partnerships to serve as an expert panelist and present about GUK’s efforts to target customized student interventions using an early warning system.

Commonwealth of Kentucky
EDUCATION PROFESSIONAL STANDARDS BOARD
Division of Certification, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601
Telephone (502) 564-4606 (888) 598-7667 www.epsb.ky.gov

**APPLICATION FOR OCCUPATION-BASED
CAREER AND TECHNICAL EDUCATION CERTIFICATION AND RANKING**

Use form CA-1 to apply for the initial Five-Year Certificate for Occupation-Based Career and Technical Education.

SECTION I. Record of Personal Information and Preparation to be completed BY APPLICANT (type or print)

A. PERSONAL INFORMATION

SSN: _____ Date of Birth: _____

Last Name: _____ Suffix: _____

First Name: _____ Middle: _____

Maiden Name: _____ Gender: Male Female

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number (____) _____ Home Mobile

Primary E-mail address: _____

Secondary E-mail address: _____

Ethnic Identification – Optional (check one)

- White, Non-Hispanic Black, Non-Hispanic Hispanic
- Asian or Pacific Islander American Indian Other

KDE/EPSB use only

SOE Recommendation

NOCTI test date: ___/___/___ OR

Exempt from NOCTI

NOCTI specialty test area: _____

COMPASS test date: ___/___/___

COMPASS expiration date: ___/___/___

Beginning date of Employment: ___/___/___

Beginning Date of Internship: ___/___/___

Fall– full year Fall–half year Spring–half year

SOE to be returned to KDE

SOE to be returned to School

Address: _____

City: _____ Zip Code: _____

B. COLLEGE ATTENDANCE RECORD – list all applicable degree programs (attach additional pages if needed)

Attach official transcripts

College/University	Address	Dates of Attendance				Total semester hours or degrees awarded
		From	To	From	To	
		M	Y	M	Y	

SECTION II. Certificate Request and Official Recommendation of Employer

A.1. TYPE OF CERTIFICATE REQUESTED

- Initial Issuance of one-year certificate (Statement of Eligibility) Renewal of one-year certificate Renewal of 5 year certificate

A.2. SUBJECT AND SCHOOL

Subject Area: _____ School: _____

A.3. RANK

- Rank 3 Rank 2 Rank 1

B. RECOMMENDATION OF EMPLOYER

I recommend the issuance of the appropriate teaching certificate and rank in the name of the applicant if state requirements have been satisfied.

Office of CTE or Local School District Superintendent Signature: _____

Date: _____ District: _____ District Telephone number: (____) _____

NAME: _____

SSN: _____

SECTION III: Initial Certification Experience and Testing Requirements (renewal applicants skip to Section IV)

A. Verification of Teacher NOCTI Test Scores

I hereby verify that the applicant whose signature appears on this form has successfully completed the NOCTI portion of the teacher test(s) specified in 16 KAR 6:020 (<http://www.lrc.state.ky.us/kar/016/006/020.htm>) for the teaching position. The PPST (PRAXIS I) or COMPASS Test portion of the test will be conducted at another time/location.

Test Administrator Signature _____

DATE _____

B. Occupational Experience for New Teachers, beginning with the most recent experience.

Detailed information regarding each experience must be completed on page 3, Section V

Employer Name	Listed on page 3
	<input type="checkbox"/> Y <input type="checkbox"/> N
	<input type="checkbox"/> Y <input type="checkbox"/> N
	<input type="checkbox"/> Y <input type="checkbox"/> N

The occupational experience identified on this application is adequate to satisfy four years of successful and appropriate occupational experience, two of which have been within the last five years as required by 16 KAR 2:020 (<http://www.lrc.state.ky.us/kar/016/002/020.htm>.) If other legal requirements have been met, it is recommended that the appropriate certification be issued.

Kentucky Department of Education Representative Signature _____

DATE _____

SECTION IV: Verification of Renewal Requirements

A. Renewal Type

- Renewal of one-year certificate: Requires an official transcript showing the completion of a minimum of six (6) semester hours of college credit for each renewal selected from the sixty-four (64) semester hour planned program as required by 16 KAR 2:020. No fee is required.
- Renewal of five-year certificate: The applicant has completed three years of teaching or work experience in the occupational specialty as reported in this application. Applicant must submit a \$50 fee payable by e-pay or by certified check or money order made payable to Kentucky State Treasurer for renewal.

B. Teaching and/or Work Experience for Renewal of Five- or Ten-Year Certificate

School & Location Work Experience & Location	Full-Time Position Held	or	Full-Day Subject Taught	DATES	
	If not full-time/full-day, Use additional sheet			From Mo./Yr.	To Mo./Yr.

I verify that this applicant has had experience as indicated above

Area Technology Center Principal Signature _____

DATE _____

OR

Kentucky Department of Education Representative Signature _____

DATE _____

Applicants who are applying for the initial issuance of a certificate should forward this Form CA-3 and an **official transcript of all credits** to the Office of Career and Technical Education, 20th Floor, Capital Plaza Tower, 500 Mero Street, Frankfort, KY 40601.

Applicants who are applying for renewal of the one-year, or five-year certificate should record teaching experience in Section III C, secure recommendation of the appropriate administrator in Section III D, and forward this Form CA-3 to the Office of Career and Technical Education, 20th Floor, Capital Plaza Tower, 500 Mero Street, Frankfort, KY 40601. The application for renewal of the one-year certificate must be accompanied by **an official transcript of the additional credit**.

NAME: _____

SSN: _____

SECTION V: Record of Occupation Based Experience

This page may be duplicated as needed

Please list your most recent position held followed by subsequent work histories and provide as much detail as possible. Be sure to complete each blank in this section thoroughly and accurately. If you changed positions within the same organization and your duties changed, describe each job in a separate block. When listing duties, list those that took most of your time first.

Most Recent Work Experience				Duties:
Title of Position				(List those that took the most of your time first)
Dates Employed From		Employed To		
Average Hours/Week				
Reason for Leaving				
Name of Employer				
Employer's Address				
Type of Business				
Employer's Phone Number				
Supervisor's Name and Title				
Supervisor's Phone #				
<hr/>				
Next Work Experience				Duties:
Title of Position				(List those that took the most of your time first)
Dates Employed From		Employed To		
Average Hours/Week				
Reason for Leaving				
Name of Employer				
Employer's Address				
Type of Business				
Employer's Phone Number				
Supervisor's Name and Title				
Supervisor's Phone #				
<hr/>				
Next Work Experience				Duties:
Title of Position				(List those that took the most of your time first)
Dates Employed From		Employed To		
Average Hours/Week				
Reason for Leaving				
Name of Employer				
Employer's Address				
Type of Business				
Employer's Phone Number				
Supervisor's Name and Title				
Supervisor's Phone #				

NAME: _____

SSN: _____

SECTION VI. Character and Fitness

A. Applicants are required to submit a national and state criminal background check. The criminal background check shall be conducted within twelve (12) months prior to the date of the initial application for certification.

- I am an applicant for initial certification in Kentucky and I have submitted or will submit my national and state background check.

B. If you have ever held, or currently hold a professional license, credential, or other document issued to you by any other jurisdiction other than Kentucky within the United States or abroad, enclose a copy of the certificate(s) and provide the following:

Type of Professional Certificate	State or Jurisdiction of Issuance	Issue Date	Expiration Date

C. Disclosure of Background Information

If you answer "yes" to any question below, SUBMIT a narrative with your application. The narrative should include dates, locations, school systems, court records, and any other information that explains the circumstances in detail.	YES	NO	Documentation Attached
1. Have you ever had a professional certificate, license, credential, or any document issued for practice denied, suspended, revoked, or voluntarily surrendered? If you have had a professional certificate, license, credential, or any other document issued for practice initially denied by a licensing body, but later issued, you must answer "yes."			
2. Have you ever been suspended or discharged from any employment or military service because of allegations of misconduct?			
3. Have you ever resigned, entered into a settlement agreement, or otherwise left employment as a result of allegations of misconduct?			
4. Is any action now pending against you for alleged misconduct in any school district, court, or before any educator licensing agency?			
5. Have you ever been convicted of or entered a guilty plea, an "Alford" plea, or a plea of nolo contendere (no contest) to a felony or misdemeanor, even if adjudication of the sentence was withheld in Kentucky or any other state? For the purpose of this application, minor traffic violations should not be reported. Convictions for driving while intoxicated (DWI) or driving under the influence of alcohol or other drugs (DUI) must be reported.			
6. Do you have any criminal charges pending against you?			
7. If you indicated "yes" to question #1 through #6, has the EPSB previously reviewed the information? _____ (Date of Review)			

I declare that I understand the standard for personal and professional conduct expected of a professional educator in Kentucky. I further certify that I have read and examined the Professional Code of Ethics for Kentucky Certified School Personnel, 16 Kentucky Administrative Regulation 1:020, understand its provisions, and agree to abide by its terms during the course of my career as a professional educator.

SIGNATURE: _____ **DATE:** _____

Section VII. Affirmation

I affirm and declare that all information given by me on this application is true, and correct, and complete to the best of my knowledge. I understand that any misrepresentation of facts, by omission or addition, may result in the denial or revocation of my teaching certificate. Further, I understand that KRS 161.120 provides that a teaching certificate may be revoked at any time upon determination that false information was presented toward obtaining a teaching certificate.

SIGNATURE: _____ **DATE:** _____

CAEP Standards Amended February 2015

This link to the CAEP Accreditation Standards reflects revisions to Standard 3, Candidate Quality, Recruitment, and Selectivity, adopted by the CAEP board on February 13, 2015.

https://caepnet.files.wordpress.com/2015/02/final_board_amended_20150213.pdf

AACTE Board Resolution on CAEP

27 February 2015

FOR IMMEDIATE RELEASE

For interviews, contact: Jerrica Thurman
(202) 478-4502 or jthurman@aacte.org

(February 26, Washington, D.C) the AACTE Board of Directors unanimously passed the following resolution regarding the Council for the Accreditation of Educator Preparation (CAEP):

“The Board of Directors of the American Association of Colleges for Teacher Education (AACTE) reiterates its support for a single, unified professional accreditation system for educator preparation programs. Further, AACTE is committed to the Council for the Accreditation of Educator Preparation (CAEP). However, the AACTE Board also reiterates its ongoing, significant concern about the Council for the Accreditation of Educator Preparation (CAEP) and asserts that there is a ‘crisis of confidence’ with respect to CAEP. Specific concerns are related to the accreditation standards, process for accreditation, costs associated with accreditation, the capacity of CAEP to implement the accreditation system and the representativeness of the CAEP governance structure.”

AACTE and its member institutions have consistently attempted to communicate with CAEP about these issues and concerns in the past. We hope to spur an open dialogue to work toward improving professional accreditation and its processes.

The AACTE Board has shared this resolution with the CAEP leadership.

AACTE: The Leading Voice on Educator Preparation

The American Association of Colleges for Teacher Education is a national alliance of educator preparation programs dedicated to high-quality, evidence-based preparation that assures educators are ready to teach all learners on Day 1. Its over 800 member institutions represent public and private colleges and universities in every state, the District of Columbia, the Virgin Islands, Puerto Rico and Guam. AACTE leads the field in advocacy and capacity building by promoting innovation and effective practices as critical to reforming educator preparation. For more information, visit www.aacte.org.

March 10, 2015

Dear CAEP Stakeholders:

We are in the midst of a sea change in expectations for teacher preparation in our country. Many forces are in play, including efforts to dismantle teacher licensure and to bypass the institution of accreditation. These threats to our field's professionalization and its stature should not be underestimated. Others will step in if we do not step forward ourselves.

Amid this cacophony of self-described reformers, CAEP has emerged as a voice for the preparation of P-12 educators as a profession. This is a singular achievement, and one which can counter ill-advised proposals that would take our country backwards by weakening teacher preparation as a profession and accreditation as an effective and preferable alternative to excessive government regulation.

CAEP was born for the very purpose of reforming our field. In the words of the [report](#) of the NCATE/TEAC Design Team, which was created on the recommendation of an AACTE Task Force to consider the need for a single accreditor for our profession:

We wish to emphasize that we have not approached our task as merely unifying NCATE and TEAC with the least possible change to two accrediting systems that are already quite similar and effective. Rather, we have set a much more ambitious goal: to create a model unified accreditation system. We believe that CAEP can elevate educator preparation to the new level of excellence that the public and its policymakers expect.

Such a system would not merely stand as the traditional bar to unsatisfactory professional preparation. Instead, it would encourage and assist all institutions and other entities that prepare educators . . . , even those that already exceed that bar, to go beyond it towards excellence by continuously improving the quality of their completers and programs. CAEP's goals should be not only to raise the performance of candidates as practitioners in the nation's P-12 schools, but also to raise the stature of the entire profession by raising the standards for the evidence the field relies on to support its claims of quality. With the great changes currently being proposed and taking place in our field, this is a unique opportunity for us to show the value we add to quality assurance, accountability and the overall performance of the profession.ⁱ

CAEP's mission was widely vetted in its formative stages and took its form from that early commitment. The mission reads "to advance excellent educator preparation through evidence-based accreditation that assures quality and supports continuous improvement to strengthen P-12 student learning." Each word in this mission statement was carefully vetted. CAEP is about excellence, not adequacy. We are committed to a culture of evidence. Our work must be organized around the principle of continuous improvement rather than a compliance-oriented, static conception of quality assurance. And most dramatically and crucially, we are committed to linking teacher preparation to the improvement of P-12

student learning and development in our nation. None of the other reformers competing for attention in America's policy arena can make the claim to such a comprehensive vision of how to transform America's teaching workforce. By contrast, CAEP offers a professional vision that is at once transformational and inclusive.

Many decades ago, accreditation of educator preparation was removed from the exclusive confines of AACTE to a new organization, NCATE, formed by a coalition of teacher educators, states and practitioner representatives. CAEP's ambitious goals to improve educator preparation required another bold organizational move. So, one of the principal tasks of the Design Team, co-chaired by two former Deans (including myself) and with current and former teacher educators numbering about half its members, was to develop a governance system appropriate to its ambitious goals. It proposed a governance structure that would be broadly inclusive of our profession to include all stakeholder voices, and not just those of higher education. To quote, "Our plan is to combine the best attributes of both the NCATE and the TEAC current board structures in a way that would enable CAEP to be even more inclusive of the profession and other stakeholders" (p. 10). To reduce costs, the governance model was streamlined and made smaller, although not dramatically so. At the same time, the Bylaws of the new organization were written to ensure that the voice of higher education, as well as all its stakeholders, would be heard throughout its governance structure, including as peer reviewers and decision makers on the CAEP commissions and Accreditation Council. After public comment that was without controversy, that model was recommended unanimously by the Design Team and adopted by the NCATE and TEAC boards.

CAEP recognizes that its new standards will require institutions to do things somewhat differently and to reach higher levels. That was not only their stated purpose but also why a [Commission](#) of 41 members, co-chaired by a dean and a chief state school officer, and again with current and former teacher educators and higher education representatives numbering about half its members, worked so diligently to set those standards and addressed challenging issues in a spirit of fairness and openness. The Commission realized that CAEP would encounter many implementation challenges. Among them was a recognition that states would have to develop new data systems to assist providers in data collection, and school districts would have to embrace a partnership approach to preparing teachers. The Commission carefully considered feedback during the public comment period. It made revisions after deliberation and debate. All members of the Commission unanimously supported the final product. Those [standards](#) were subsequently adopted unanimously by the CAEP Board.

CAEP set an aggressive timetable for implementing the standards and making them mandatory by 2016. We have done this out of concern for the profession, knowing that any slower timeframe would invite policymakers to supplant accreditation with other, potentially more onerous alternatives that would completely diminish the power of educators and stakeholders to shape how we assure quality. We also sought to use this opportunity to strengthen what institutions do and demonstrate that the requirements for education preparation are on par with those of other professional fields. We have worked to provide flexibility in the types of evidence used, to gradually phase in the uses of new evidence as it becomes available, and to provide needed guidance and assistance to providers to ensure that they can meet current timetables and choose how best to provide evidence of their success. We have also pledged to study carefully the actual consequences of implementation as it proceeds and to

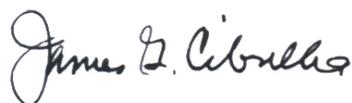
make mid-course corrections when necessary. The recent action the CAEP Board has taken with respect to Standard 3.2 (selectivity based on academic qualifications), the details of which can be found [here](#), is an example of the CAEP Board listening to feedback.

I regretfully acknowledge that CAEP, as a new organization just finding its legs, has not always provided consistent or sufficient guidance to providers, particularly to those early adopters with visits prior to 2016. My staff and I have spent tens of thousands of hours, if not more, in preparing written manuals and other guidance and in participating in conferences, webinars and in individual meetings, phone calls and email exchanges with all our stakeholders. An [Evidence Guide](#) has been available for over a year and is now in its second edition, and a draft of the [CAEP Accreditation Manual](#) was released in January, with opportunity to provide feedback to CAEP. That said, what CAEP has provided up to now has not been sufficient. In the words of our Standards Commission, “results matter – effort is not enough.” As the CEO of CAEP, I take full responsibility for our shortcomings. I pledge to you that we will redouble our efforts to assist you in fulfilling the new responsibilities created for you by the CAEP Standards. As a first step, I am initiating a new **CAEP Accreditation Updates** that will be put on its website each week. This will include meetings, presentations, and events, resources that will be available, what is coming soon, organization updates, and policy updates. I also assure you that CAEP will continue to make every effort to listen to and respond to feedback.

We are at a pivotal moment for our profession. We must not allow those who oppose CAEP’s standards or even CAEP itself to use this situation for their own purposes. We all have too much at stake in the success of the reform efforts that CAEP represents.

All of us at CAEP look forward to collaborating with you to achieve CAEP’s mission and its promise.

Sincerely,



James G. Cibulka,
President, CAEP

ⁱ Report and Recommendation of the NCATE/TEAC Design Team to Our Respective Boards of Directors, 2-3. Retrieved from <http://www.caepsite.org/documents/designteamreport.pdf>

Robert L. Brown, Executive Director
Education Professional Standards Board
100 Airport Road, 3rd Floor
Frankfort, Kentucky 40601



February 24, 2015

Subject: Waiver Request
Kerry Susan Davis Chavira, Certificate # 407-06-7267
EPSB ID 000042899

Dear Mr. Brown:

In May of 2003, I willfully signed an "agreed order" with the Education Professional Standards Board in total agreement that I had acted in an unprofessional manner by creating study material for my 4th grade daughter after discussing conceptual information with another teacher who had already administered the CATS assessment. At that time, I agreed with EPSB that my actions were of a serious nature and I felt that the resulting six-week suspension of my teaching certification was fair and appropriate for my lapse in professionalism. I still feel the same way, twelve years later.

Since that time, I have been committed to daily exhibiting nothing less than the highest order of professionalism in every aspect of serving students, communicating with their parents, and working with my educational colleagues. I have continued to devote my life's efforts to the service of kids during these years, serving in several teaching and administrative positions. More recently, I have focused my energy and abilities toward working with those students who are at the greatest risk of failure and schools that serve the highest number of these "at-risk" students. During this time, I have served in several positions in the Fayette County Schools as well as two years, with the Kentucky Department of Education, as an Educational Recovery Leader in the District 180 program.

In the past few years, I have been urged by administrators and colleagues to consider seeking principal positions in several Fayette County schools. In my heart, I believe that my training has prepared me well for serving successfully in these challenging assignments and my past successes in at-risk schools would support that belief. However, I have been unsuccessful in obtaining a principal's position in the few schools where I have applied, regardless of how positive the selection and interview process had been. It has been suggested, to me, that the red line on my record has created uncertainty and concerns in the minds of selection committee members.

I know how valuable your time is and I appreciate you taking your time to consider my request. I have tried to abbreviate the details of my reasons for

making this request. If you have questions or would like to speak with me further, I would welcome any opportunity to speak with you further. I have attached four letters that have been written in support of this request. I feel that each of these people know me and my professional ethic extremely well and each of them are highly respected in their own right by the educational community.

It is my hope, that in your consideration of my professional conduct over the last twelve years, you will find justification for presenting my request to the Education Professional Standards Board for consideration of removing the "red-line" entry on my certificate. If you have questions or need to speak with me further, my contact information is:

susan.chavira@fayette.kyschools.us
3213 Orchard Grass Road
Lexington, Kentucky 40509
859 797-0088

Respectfully,



K. Susan Chavira Price

Ketsy Fields
1320 McClure Road
Winchester, KY 40391

February 15, 2015

To Whom It May Concern:

Please except this letter on behalf of Susan Chavira. I strongly support Susan as she seeks to share her knowledge and skills as an administrator. I have had the pleasure of working alongside her for five years in Fayette County. As an elementary director I was a part of the team that hired Susan in 2010 as a curriculum support specialist. She was entrusted with a great deal of responsibility in assisting some of our lowest performing elementary schools. Susan enthusiastically accepted the challenge and made a significant positive impact on both students and staff in those buildings.

In 2012 Susan was hired by the Kentucky Department of Education as an Education Recovery leader. In this position she again worked with low performing schools with positive results.

Susan returned to Fayette County in the fall of 2013 as the Academic Dean at Breckinridge Elementary School. In that position Susan has been instrumental in training staff on the effective implementation of the Common Core. She has worked hard to ensure teachers have a strong instructional background, which has had a positive impact on student achievement. Breckinridge continues to make steady progress in student proficiency.

I have had the opportunity to observe Susan's professional skills as well as interpersonal style. She is consistently pleasant, and takes on all assignments with enthusiasm and dedication. She is an excellent mentor and coach.

Susan has been an asset to Fayette County and has earned the opportunity to further her career as an administrator. Her knowledge, work ethic, and experience will be beneficial to any school.

If you have questions or would like additional information feel free to contact me at 859-749-8862.

Sincerely,

Ketsy Fields

Ketsy Fields

February 10, 2015

To Whom It May Concern:

This is a letter in support of the request made by Ms. Susan Chavira to clear her record in regard to a testing allegation dating back to 2002. She accepted the six week suspension as ordered by the EPSB.

She has continued her career over the past twelve years without incident. She has had an outstanding teaching career and has been able to have a positive impact on her students. Her passion for teaching has been recognized by all she has had the opportunity to work for and with.

Thank you for your consideration of this request.

Sincerely,

Dale Brown

Retired Superintendent (Warren County)

270-202-6680

1005 Stonewood Circle

Bowling Green, KY 42103

Robert L. Brown, Executive Director
Education and Professional Standards Board
100 Airport Road, 3rd Floor
Frankfort, Kentucky 40601

February 21, 2015

SUBJECT: Waiver Request of Kerry Davis Chavira, Certificate #407-06-7267

Mr. Brown:

I have known Susan Chavira for close to twenty years. I have watched her perform in the classroom and have seen first hand the obvious talent and skill Ms. Chavira possesses relative to providing for the educational needs of young children in Kentucky's schools. Prior to becoming the President of Kentucky Wesleyan College, I represented many public school districts as part of my law practice. I have worked closely with virtually countless numbers of principals and school administrators. I have no doubt that Ms. Chavira would make an excellent principal. Kentucky needs more principals with her energy, intellect, experience and passion.

I understand that Ms. Chavira entered into a Agreed Order to resolve allegations of professional impropriety many years ago. While I certainly would not claim to know all details of the circumstances which resulted in the allegations and Agreed Order, I do know that many years have passed and that Ms. Chavira, to my knowledge an understanding, has had no other such issues and has made tremendous contributions to hundreds of children's lives through education.

I have become aware that Ms. Chavira has been unsuccessful in her attempts to obtain a principal position. I would assume that her record revealing the prior allegations and resolution has significantly contributed to her not being offered any principal positions. I would suggest that Ms. Chavira has "paid her debt" over the past dozen years and her inability to obtain a principal's position is not benefiting anyone, particularly public education in Kentucky. If there is a process for having the stigma removed from her record, I believe that would not only be in Ms. Chavira's best interest, but would also be in Kentucky's best interest. I hope any lapse in judgment a dozen years ago would not prevent this very capable woman from leading a Kentucky elementary school.

If you have any questions of me, please do not hesitate to contact me.

Barton D. Darrell
3100 Frederica St.
Owensboro, Kentucky 42302



WKU Glasgow

A LEADING AMERICAN UNIVERSITY WITH INTERNATIONAL REACH

February 9, 2015

Robert Brown, Executive Director
Kentucky Education Professional Standards Board
100 Airport Road 3rd floor
Frankfort, KY 40601

Dear Mr. Brown:

I am submitting this letter on behalf of Susan Chavira, Academic Dean at Breckinridge Elementary School in the Fayette County School District. Ms. Chavira and I were building level administrators in the Barren County School District during the early-mid 1990s.

In January 1994, I became the new principal of Barren County Middle School and immediately began planning for its August 1994 opening. This new 600-student school would merge four junior high schools and pull students from two additional elementary schools. Therefore, selecting staff and administrators were my top priorities. Expertise, professionalism and leadership were first in my selection process, and I selected Susan Chavira as the very first vice principal at the school. Then, I consulted with her on faculty and staff decisions, middle school curriculum, teaming, community engagement, the construction process and a host of other extremely important responsibilities.

Ms. Chavira provided critical input on such things as establishing an appropriate school climate that valued the worth of all students, selecting teachers who were leaders, identifying warm and friendly support staff and asking parents who believed in the educational process to join us. Ms. Chavira created the school motto. She established the first BCMS School Council, and she worked with the local chamber to create a junior leadership program that engaged the entire community.

Following our initial year, the SBDM Council at Hienville Elementary quickly recruited Ms. Chavira to serve as its new principal. In her new role, Ms. Chavira continued to make positive changes, working closely with her council and faculty to improve school climate, raise academic expectations for both teachers and students and further engage parents and the community in the process.

Since moving on to other administrator or teaching positions, Susan Chavira continued to add value to the educational process for the children of Kentucky. She has mentored new teachers, worked as a supervisor of student teachers, provided leadership as a teacher on the SBDM Council, and served on other important school committees. She is a respected and valued member of our profession.

She is mature in her thinking, resolute in her mission and profoundly proud to be an educator in the public schools of Kentucky. Such an impressive, long-standing, dedicated professional career is reflective of Susan Chavira and deserves careful consideration in any decisions by the EPSB.

Sincerely,

Bill Walter
Vice Chancellor
WKU Glasgow

The Spirit Makes the Student

WKU-Glasgow | Western Kentucky University | 500 Hilltopper Way #7966 | Glasgow, KY 42141
phone: 770-659-6960 | fax: 770-659-6991 | web: www.wku.edu/glasgow/

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EDUCATION PROFESSIONAL STANDARDS BOARD

1024 Capital Center Drive, Suite 225
Frankfort, Kentucky 40601
(502) 573-4606 * Toll Free (888) 598-7667 * FAX (502) 573-1610

May 20, 2003

Ms. Susan Chavira

Re: Kentucky Teaching Certificate: 407-06-7267

Dear Ms. Chavira:

Enclosed is a copy of the **Agreed Order** reviewed and approved by the Education Professional Standards Board on May 19, 2003, pursuant to the provisions of KRS 161.120 and 704 KAR 20:585.

A copy of this letter and the **Agreed Order** will be forwarded to the Division of Certification for their records. If you have any questions, please contact Ms. Brenda Dinkins Allen, Director, Legal Services, at (502) 573-4606, ext. 223.

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan Leib".

Susan Leib
Executive Director

SL/mc

Enclosure: Copy of Agreed Order

c: Official File
Mr. E. Dale Brown, Superintendent, Warren Co. Schools
Division of Certification



CERTIFICATE OF SERVICE

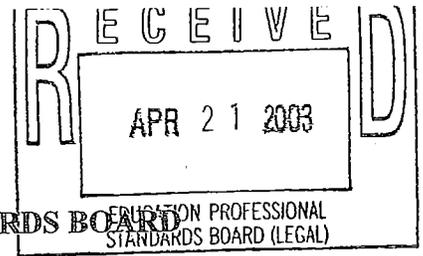
I hereby certify that the original **AGREED ORDER** was filed in the administrative record of the Education Professional Standards Board, with a copy of the **AGREED ORDER** mailed by certified mail on this 21st day of May 2003 to:

Ms. Susan Chavira

And a copy was hand delivered to:

Hon. Brenda Dinkins Allen
Legal Services
Education Professional Standards Board
1024 Capital Center Drive, Suite 225
Frankfort, Kentucky 40601
DIRECTOR


Mona G. Curtsinger
Mona G. Curtsinger, Docket Clerk



COMMONWEALTH OF KENTUCKY
KENTUCKY EDUCATION PROFESSIONAL STANDARDS BOARD
AGENCY CASE NO. 02-11133
CERTIFICATE NO.

KENTUCKY EDUCATION PROFESSIONAL
STANDARDS BOARD

PETITIONER

VS.

AGREED ORDER

SUSAN CHAVIRA

RESPONDENT

* * * * *

Come the Petitioner, the Kentucky Education Professional Standards Board (hereinafter "the Board") and the Respondent, Susan Chavira (hereinafter "Chavira"), in person, and both parties being duly informed, state as follows:

1. Chavira is a certified teacher in the Commonwealth of Kentucky, having been issued certificate number

2. Pursuant to Kentucky Revised Statutes ("KRS") 161.120 and 161.028, the Board is authorized to issue and control all matters related to teacher certification not otherwise delegated to another agency in the Commonwealth. The Board has the statutory responsibility to protect the public from unprofessional conduct on the part of certified teachers and administrators.

3. By letter of October 21, 2002, Superintendent E. Dale Brown of Warren County Schools advised the Board that the Kentucky Department of Education Division of Management Assistance, had investigated a Commonwealth Accountability Testing System (CATS) testing violation involving Susan Chavira, a teacher in the Warren County Schools. The investigation revealed that Ms. Chavira obtained conceptual

information and details of a question on the CATS test, Science Form A from her sister who was a fourth grade teacher in another Kentucky district and provided that information to her daughter, a fourth grader attending school in a third Kentucky district. The information was provided to the student prior to her taking the assessment.

4. During the investigation with DMA, Chavira and her sister both took responsibility for their actions and admitted to the violation.

5. Chavira acknowledges that her conduct violates KRS 161.120 and 704 KAR 20:680 The Professional Code of Ethics for Kentucky School Certified Personnel.

6. Chavira and the Board agree to address this matter by Agreed Order. After being signed by Chavira, this Agreed Order shall be presented to the Board with a recommendation for approval from the Board's chief prosecuting attorney, or her designee, at the next scheduled meeting of the Board following receipt of the Agreed Order. The Agreed Order shall not become effective until it has been approved by a majority of the Board and signed by the chair of the Board.

Chavira understands the Board is free to accept or reject this Agreed Order. Chavira hereby agrees to waive any right she may have to challenge, based solely on the presentation of the Agreed Order to the Board, the impartiality of the Board to hear the administrative action if, after review by the Board, this Agreed Order is rejected.

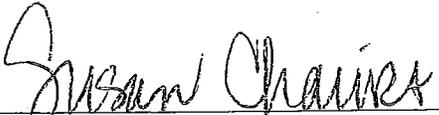
If the Agreed Order is not accepted by the Board, it shall be regarded as null and void. Representations and/or admissions by Chavira in this Agreed Order, or other settlement proposals, will not be regarded as evidence against Chavira at any subsequent disciplinary hearing. Chavira shall be free to defend herself and no inference will be made against Chavira for her willingness to enter into this Agreed Order.

Following review by the Board of the facts and circumstances associated with the case against Chavira,

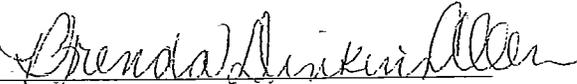
IT IS HEREBY ORDERED THAT:

Certificate number _____ to include the Early Elementary School Principal, Grades K-4, Professional Certificate For Instructional Leadership – Middle Grade School Principal, Grades 5-8, Level II, Standard Elementary Certificate, Grades 1-8, and the endorsement for Kindergarten Classroom Teaching, is hereby **SUSPENDED**, for a period of six (6) weeks from the date this order is accepted by the Board through June 30, 2003.

By entering into this Agreed Order, Chavira expressly acknowledges that she is fully and completely informed of the due process rights afforded under KRS 161.120 and KRS 13B and she knowingly, willingly and voluntarily agrees to waive those rights and enter into this Agreed Order.



Susan Chavira, Respondent



Brenda Dinkins Allen,
Chief Prosecuting Attorney
Education Professional Standards Board

Entered into this 19th day of May, 2003.



Lydia Coffey, Chair
Education Professional Standards Board

COMMONWEALTH OF KENTUCKY
EDUCATION PROFESSIONAL STANDARDS BOARD

IN RE THE TEACHING CERTIFICATE OF:

RESPONDENT: Susan Chavira
SOCIAL SECURITY NUMBER:

NOTICE OF CONSIDERATION

The Respondent, Susan Chavira is hereby advised that the Education Professional Standards Board will consider an **Agreed Order** on May 19, 2003. The Board meeting will be held at the Hampton Inn, Frankfort, Kentucky. Attendance by the Respondent is elective. Unless otherwise ordered by the Board, the Board will hear no additional evidence or arguments. If Respondent does not attend the meeting, he agrees that prosecuting attorney may discuss the case with the Board ex parte.

EDUCATION PROFESSIONAL STANDARDS BOARD



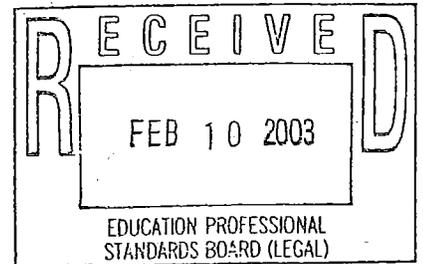
Susan Leib
Executive Director

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Notice was mailed, messenger mail to the Hon. Brenda Dinkins Allen, Director, Division of Legal Services, Education Professional Standards Board, 1024 Capital Center Dr., Suite 225, Frankfort, KY 40601; and a copy to Ms. Susan Chavira, 107 A Floral Drive, Glasgow, KY 42141 on this 9th day of May 2003.


Mona G. Curtsinger, Clerk

Susan Chavira



February 6, 2003

Ms. Mona Curtsinger
Educational Professional Standards Board
1024 Capital Center Drive Suite 225
Frankfort, Kentucky 40601

Dear Ms. Curtsinger,

Per our conversation on February 5, 2003, I have enclosed my rebuttal letters which are in response to the letters I received from the Educational Professional Standards Board.

I have enclosed the original letter dated November 25, 2002 which was in response to the letter mailed to me on November 14, 2002. I have also enclosed another copy of that letter dated February 6, 2003 in response to my letter dated January 31, 2003.

I certainly appreciate your kind assistance. Thank you so much for taking your time to place the correctly dated letter in my file.

Sincerely,
Susan Chavira
Susan Chavira

November 25, 2002

Dr. Susan Leib, Executive Director
Educational Professional Standards Board
1024 Capital Center Drive
Suite 225
Frankfort, Kentucky 40601

Dear Dr. Leib,

I am writing in acknowledgment of your November 14, 2002 letter, please find below a summary of my case and additional comments for your review and consideration.

On Friday, April 26, 2002, I met with Mr. Jim Jackson, Director of the Kentucky Department of Education, Office of Management Assistance. Mr. Jackson came to my school, William H. Natcher Elementary to interview me regarding allegations that violated the Ethics Code.

During the meeting with Mr. Jackson, I provided a notarized statement acknowledging that I had divulged conceptual information and details of a question on the CATS test, Science Form A. I received this information from my sister who at the time was a 4th grade teacher in the Clark County School System. I did not have any contact with the assessment material other than a verbal conversation with my sister. I shared this information with my daughter who was a 4th grade student at Happy Valley Elementary School in Glasgow Kentucky. I did not share any information to any other adults or students at any other school, including Natcher Elementary.

During the meeting with Mr. Jackson, I was very forthright in my admission of the serious nature of the mistake I had made in sharing conceptual information with my daughter. It is my hope that you will read the notarized statement that I provided to Mr. Jackson as you continue to review this case.

Immediately following the meeting, I met with my principal; Dr. Connie Allen to very candidly share with her what had transpired with my actions and the meeting with Mr. Jackson. I also provided a letter to my Superintendent, Mr. Dale Brown sharing with him the allegations that violated the Ethics Code and assuring him that I had not been in contact with the assessment material at William Natcher Elementary School. I also expressed to both Mr. Brown and Dr. Allen my sincere apologies for the professional mistake I had made.

In closing, I accept full responsibility for my actions. As a successful educator since 1985, I fully understand that I made a serious mistake and very deeply regret it. Each day as I pursue a career that I value, I am reminded of how very fortunate I am to serve as an educator and a mentor for both student teachers and interns. I also understand as part of my profession, it is my responsibility to be a role model for my educational community. I have also been very open with my daughter and shared with her the mistake I made and truly believe we both understand the serious nature of this mistake.

I look forward to having the opportunity to continue my work as an educator and will strive to protect the standards and reputation of my profession.

Sincerely,

Susan Chavira
Ms. Susan Chavira

February 5, 2003

Dr. Susan Leib, Executive Director
Educational Professional Standards Board
1024 Capital Center Drive
Suite 225
Frankfort, Kentucky 40601

Dear Dr. Leib,

I am writing in acknowledgment of your January 31, 2003 letter, please find below a summary of my case and additional comments for your review and consideration.

On Friday, April 26, 2002, I met with Mr. Jim Jackson, Director of the Kentucky Department of Education, Office of Management Assistance. Mr. Jackson came to my school, William H. Natcher Elementary to interview me regarding allegations that violated the Ethics Code.

During the meeting with Mr. Jackson, I provided a notarized statement acknowledging that I had divulged conceptual information and details of a question on the CATS test, Science Form A. I received this information from my sister who at the time was a 4th grade teacher in the Clark County School System. I did not have any contact with the assessment material other than a verbal conversation with my sister. I shared this information with my daughter who was a 4th grade student at Happy Valley Elementary School in Glasgow Kentucky. I did not share any information to any other adults or students at any other school, including Natcher Elementary.

During the meeting with Mr. Jackson, I was very forthright in my admission of the serious nature of the mistake I had made in sharing conceptual information with my daughter. It is my hope that you will read the notarized statement that I provided to Mr. Jackson as you continue to review this case.

Immediately following the meeting, I met with my principal; Dr. Connie Allen to very candidly share with her what had transpired with my actions and the meeting with Mr. Jackson. I also provided a letter to my Superintendent, Mr. Dale Brown sharing with him the allegations that violated the Ethics Code and assuring him that I had not been in contact with the assessment material at William Natcher Elementary School. I also expressed to both Mr. Brown and Dr. Allen my sincere apologies for the professional mistake I had made.

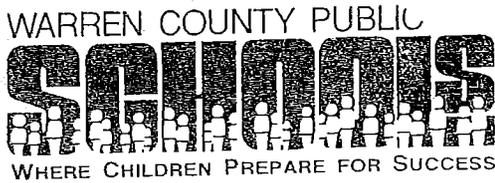
In closing, I accept full responsibility for my actions. As a successful educator since 1985, I fully understand that I made a serious mistake and very deeply regret it. Each day as I pursue a career that I value, I am reminded of how very fortunate I am to serve as an educator and a mentor for both student teachers and interns. I also understand as part of my profession, it is my responsibility to be a role model for my educational community. I have also been very open with my daughter and shared with her the mistake I made and truly believe we both understand the serious nature of this mistake.

I look forward to having the opportunity to continue my work as an educator and will strive to protect the standards and reputation of my profession.

Sincerely,

Susan Chavira

Ms. Susan Chavira



303 Lovers Lane • Bowling Green, KY 42103
Telephone: (270) 781-5150 • FAX: (270) 781-2392
Web: www.warren.k12.ky.us

Dale Brown
Superintendent

October 21, 2002

Dr. Susan Leib
Kentucky Education Professional Standards Board
1024 Capitol Center Drive, Suite 225
Frankfort, Kentucky 40601

IN RE: Report pursuant to KRS 161.120

Dr. Leib:

I am reporting to you regarding Ms. Susan Chavira who is a certified employee of the Warren County Board of Education:

Certified Employee: Susan Chavira

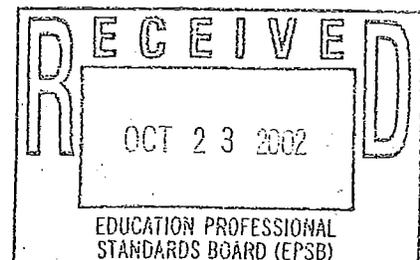
Address:

Telephone No.: (270) 646-2151

Social Security No.:

Position Name: Teacher

Ms. Chavira is employed by the Warren County Board of Education as a Teacher at William Natcher Elementary School.

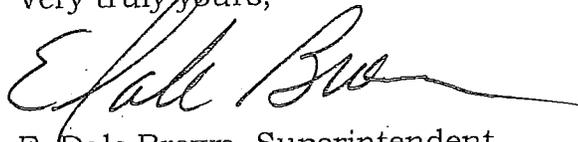


The situation was investigated by the KDE Division of Management Assistance. The Warren County School District was not involved in the incident. Ms. Chavira is an employee but the situation involved family members in two other Kentucky school districts. This was not reported to you earlier in writing but I discussed it with you and Ms. Weber by phone and the advice was for me to wait until the situation was addressed by the Division of Management Assistance.

We did not take any disciplinary action against Ms. Chavira.

If you need any additional information, please feel free to contact me.

Very truly yours,

A handwritten signature in cursive script that reads "E. Dale Brown". The signature is written in black ink and has a long, sweeping horizontal line extending to the right.

E. Dale Brown, Superintendent
Warren County Public Schools

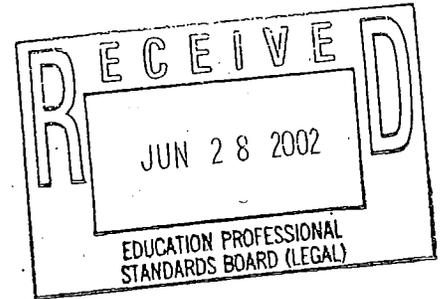
c: Ms. Brenda Dinkins Allen



KENTUCKY DEPARTMENT OF EDUCATION
CAPITAL PLAZA TOWER 500 MERO STREET FRANKFORT, KENTUCKY 40601

Gene Wilhoit, Commissioner
(502) 564-4770

June 25, 2002



Dr. Dale Brown, Superintendent
Warren County Schools
303 Lover's Lane
Bowling Green, KY 42103

Dear Superintendent Brown:

This communication is to inform you of the decision of the CATS Board of Review, which met on June 18, 2002 regarding an allegation at Happy Valley Elementary School, **Case # 2002-49**. The Division of Management Assistance received a description of the testing problem from the superintendent.

Enclosed you will find a copy of the report submitted to the CATS Board of Review. After reviewing the report, the CATS Board of Review recommended, and I concur, that the following scores will be lowered since a violation of the *Administration Code for Kentucky's Educational Assessment Program* did occur when a fourth grade student received information from her mother and aunt regarding the content and concepts needed to answer the Science section of the *Kentucky Core Content Test*.

- **Novice Non-Performance for Science, Parts B and C for one fourth grade student.**

The following citations guided this investigation:

The *Administration Code for Kentucky's Assessment Program* states on page 3, "All assessment work shall be entirely the work of the student."

The *Administration Code for Kentucky's Assessment Program* states on page 5, "Teachers or other staff with knowledge of the content of any secure test item shall not reveal this content to anyone."

The *Administration Code for Kentucky's Assessment Program* states on page 5, "Teachers or other staff who become aware of specific test items through any means, shall not use this knowledge to prepare students for the assessment."



The names of the student and her litho code number will be forwarded to the Division of Assessment Implementation.

Any time scores are lowered as a result of an inappropriate testing practice, DMA attempts to determine whether or not the violation was intentional for the purpose of gaining a testing advantage or if it was committed because of a mistake or oversight. In the former case, which this matter represents, DMA submits the names of staff involved to the Education Professional Standards Board. As a result of the enclosed investigation and supporting documentation, the CATS Board of Review has recommended the name of Ms. Lauren Chivara from William Natcher Elementary School and the name of a Clark County Schools teacher to be sent to the Education Professional Standards Board. I will communicate the name of the Clark County Schools staff member to her superintendent. I also remind you of your obligation under 703 KAR 5:080 to report in writing to the Commissioner of Education within 45 days whether additional local disciplinary action was taken or considered necessary, and to comply with your reporting responsibility to the EPSB pursuant to KRS 161.120, if you feel that it is appropriate to do so.

On behalf of the Department of Education, I express my appreciation for the professional and cooperative manner in which central office staff and the staff of William Natcher Elementary School responded during the investigation of this allegation and for your prompt and thorough attention to this matter. Should you have questions related to this investigation, please feel free to contact Dr. Jim Jackson, Director of the Division of Management Assistance, at 502-564-2983

Sincerely,



Gene Wilhoit

cc: Ms. Susan Chavira, Teacher
Dr. Connie Allen, Principal
Mr. Eugene Smith, District Assessment Coordinator
Dr. Dale Brown, Superintendent
Dr. Jim Jackson, Division of Management Assistance
Dr. Susan Leib, Education Professional Standards Board

Enclosure: CATS Investigation Report

GW/JJ/ds

**COMMONWEALTH ACCOUNTABILITY TESTING
SYSTEM**

(CATS)

INVESTIGATION REPORT

GLASGOW INDEPENDENT SCHOOLS

Happy Valley Elementary School

Case # 2002-49

**Division of Management Assistance
Dr. Jim Jackson, Director
June 3, 2002**

STATEMENT OF ALLEGATION

On April 24, 2002, the superintendent of Glasgow Independent Schools contacted the Division of Management Assistance (DMA) by telephone to self report a testing problem at Happy Valley Elementary School. This situation involved a fourth grade student who was discovered by her father to have notes pertaining to two science open response questions. The notes contained the information needed to answer two open response questions found in form 6A of the fourth grade Kentucky Core Content Test (KCCT) Science, Part C.

The following citations guided the investigation of this allegation:

The *Administration Code for Kentucky's Assessment Program* states on page 3, "All assessment work shall be entirely the work of the student."

The *Administration Code for Kentucky's Assessment Program* states on page 5, "Teachers or other staff with knowledge of the content of any secure test item shall not reveal this content to anyone."

The *Administration Code for Kentucky's Assessment Program* states on page 5, "Teachers or other staff who become aware of specific test items through any means, shall not use this knowledge to prepare students for the assessment."

BACKGROUND OF ALLEGATION

On Tuesday, April 23, 2002 a recently divorced father discovered his daughter, who is a fourth grade student at Happy Valley Elementary, secretly studying some notes and hiding them under her pillow. Upon questioning his daughter, he discovered that the notes were answers to science open response questions.

His daughter admitted that she got the questions from her mother, who is a second grade teacher at William Natcher Elementary in Warren County Schools and her mother got the information from her sister, who is a teacher at Central Elementary School in Clark County Schools. The aunt states that her niece had been like a daughter to her during the divorce of her parents and she called her crying after taking Science, Part A. The test had been very stressful to her. She states, "I was feeling sympathy for I took my teacher hat off and put on a mommy-auntie hat to help a very emotional child." On Monday, April 22 the mother gave her daughter a copy of notes she had recorded while talking on the telephone to her sister. The notes contained science content and concepts that could assist her daughter in answering the science open response questions. The daughter also took some notes about the science question while talking to her mother over the telephone. The mother states, "Honestly at the time, I was acting as a concerned mother whose daughter was very anxious about the test."

The father called his daughter's teacher the same night, April 23, to inform her of his suspicions. The next morning he left a copy of the notes his daughter had been studying in the school office for her teacher. The teacher noticed the similarity to the KCCT open response questions in the student's form 6A Science, Part C and reported the problem to the school principal who in turn reported the finding to the superintendent. The superintendent immediately contacted DMA with an initial report of the testing problem.

INVESTIGATION PROCEDURES FOR THE ALLEGATION

On Friday April 26, 2002 two DMA consultants conducted an on-site fact finding visits to Happy Valley Elementary School in Glasgow and William Natcher Elementary School in Warren County. While at Happy Valley Elementary, interviews were conducted with the superintendent, the fourth grade student, her teacher, and the school principal. A notarized statement was collected from the student's teacher and a copy of the science study notes. The student's mother and her principal were interviewed at William Natcher Elementary School. A notarized statement was obtained from the mother. Documentation of Administration Code training for the teacher was requested and received by DMA on April 30.

On Monday, April 29 two DMA consultants completed an on-site fact finding visit to Central Elementary School in Clark County. Interviews were conducted with the principal and the fourth grade teacher who gave the science information to her sister in Glasgow. The principal forwarded to DMA the school testing schedule and documentation of Administration Code training for the fourth grade teacher.

INVESTIGATION FINDINGS

Based on the evidence obtained from the notarized statements, interviews and information collected during the on-site visits, DMA presents the following findings:

1. The notarized statements of mother Susan Chavira and aunt Angie Sidwell provided sufficient evidence that violations to the Administration Code did occur when Ms. Sidwell gave Ms. Chavira the concepts and content needed to answer the fourth grade KCCT Science open response questions. Ms. Chavira gave the information to her fourth grade daughter in the form of written notes and information over the telephone.
2. Fourth grade student, _____, gained an unfair advantage on the Science questions by knowing in advance the nature of the questions and the concepts and content needed for the answers. She acknowledged that she did not receive help on any other content of the KCCT assessment.

3. states that she did not share the science information with any other student at Happy Valley Elementary.
4. Ms. Chavira did not have any contact with KCCT assessment material as a result of her being a teacher at William Natcher Elementary School (WNES). There was no evidence that test security was jeopardized at WNES or that Ms. Chavira committed any inappropriate assessment practice in her official professional role as a teacher at WNES.
5. Ms. Sidwell gained access and knowledge of the science open response questions and concepts in her role as a teacher administering the fourth grade KCCT assessment in her school. Outside of the violation of sharing test information with her sister, there was no documented evidence that test security had been compromised at Central Elementary School.
6. Ms. Chavira and Ms. Sidwell were forthright in their admission of the mistake they made and remorseful for allowing their emotions to interfere with their professional judgment and responsibilities.
7. Signatures indicate the two teachers received, read and agreed to comply with the *Administration Code for Kentucky's Educational Assessment*.
8. Teacher Angie Sidwell should be considered for a reportable offense to the Education Professional Standards Board for violations of the Administration Code, while in her professional role as a classroom teacher.
9. Teacher Susan Chavira should be considered for a reportable offense to the Education Professional Standards Board for a violation of the Administration Code when she acted as a concerned mother while employed as a professional classroom teacher.

Ms. Alicia Sneed, Mr. Gary Stevens, and Board Members of the ESPB:



I am writing this letter requesting that I be placed on the Educational Professional Standards Board (ESPB) meeting agenda for the February 9th, 2015, meeting date.

I plan to request that the ESPB either cleanse or expunge my record and Kentucky Teaching Certificate of the retroactive action that was taken against me in 2010, on a complaint that was filed in March of 2006. The initial complaint in 2006 was investigated by the local sheriff's department and the Cabinet for Health and Family Services. I was cleared of any inappropriate contact and/or action with any of my students.

My reasons are as follows:

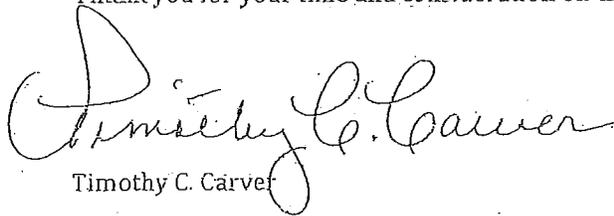
- 1.) In October 2010, I agreed to accept a retroactive five-day suspension for the charges that I had admitted to in February 2006, in order to be able to get my license in Ohio renewed.
- 2.) It has been over four years since I accepted that five-day retroactive suspension. There have been NO complaints about me since that time. That is more than the usual allotted time before requesting expungement.
- 3.) Since the initial complaint in 2006, I have worked a total of four school years in the education profession. Since accepting the terms of the Agreed Order, I have been unable to find employment in education.
- 4.) This investigation and action caused me to lose the position that I held in Tennessee from 2006 to 2008. I had moved my family there, when it was made known to me that someone had informed the Tennessee Department of Education that I was under investigation. In the years since the initial complaint, I have had three head football coaching positions pulled out from under me, after being introduced to the local media, introduced to the players and parents, and even after having started practicing in one case. One time this occurred in Kentucky, and twice in Ohio. Each time this happens, it is harder to accept and recover from, in order to try again to find another. In 2014-2015 so far, I have had numerous interviews in which this matter has been expressed as a "concern", and as a result, I am not a good fit for their school or community. In most cases, this has been told to me off the record. Needless to say, this has all done irreparable damage to my reputation, career, and personal health.
- 5.) The retroactive suspension in Kentucky has impacted my license in Ohio, such that the wording in a statement on the Ohio Department of Education (ODE) website, does not reflect either the investigation results, or the terms of the Agreed Order of October 2010. The wording on the ODE website either indicates, or insinuates that I had inappropriate contact with students. That can only be taken one way by most school administrators when reading it. Tennessee has never taken any action on my Tennessee certificate, or refused my applications for renewal for my certificates.
- 6.) In my twenty-eight year career in education, (both private and public) there has only been this one incident of complaint against me. Only a handful of students and one teacher were involved with these allegations. No other statements or letters from any other students, players, teachers, administrators, or parents were considered.

7.) As a result of these actions, I can no longer gain employment in any school. I am considered a risk. This goes for any attempt that I have made in many different states in the country. This past summer, I had a chance to take a position in Montana. After the Agreed Order was made known to them, the offer was pulled, because there was not enough time for the people at the state level to do their investigation of these allegations and actions, before practice and school started. I cannot get a fresh new start anywhere. As a result, if I do ever get hired, I cannot retire until my late sixties, or early seventies.

When all of this happened on February 22nd, 2006, I was considered to be an outstanding teacher by both my local administrators, and by people at the state level in Kentucky. Both praised me for my techniques and accomplishments with my students. I was also establishing myself as a successful football coach, even being named to Julian Tackett's KHSAA Football Advisory Council in the Fall of 2004. He was that impressed with my team and their progress upon officiating one of our games that season. That is all over for me now.

I would appreciate it if you would place me on the February 9th agenda.

Thank you for your time and consideration on this matter.



Timothy C. Carver



COMMONWEALTH OF KENTUCKY
EDUCATION PROFESSIONAL STANDARDS BOARD
AGENCY CASE NO. 06-0362
CERTIFICATE NO. _____
ADMINISTRATIVE ACTION NO. 07-EPSB-_____

EDUCATION PROFESSIONAL
STANDARDS BOARD

PETITIONER

VS.

TIMOTHY CARVER

RESPONDENT

**NOTICE OF HEARING AND
STATEMENT OF CHARGES AND ISSUES**

Comes the Education Professional Standards Board, pursuant to KRS 161.120 and KRS 13B, on information and belief, and for the notice of charges and statement of issues in the above-styled administrative action, states as follows:

Notice

The Respondent, Timothy Carver, certificate number _____, hereinafter "Respondent"), is hereby given notice that the Education Professional Standards Board (hereinafter "EPSB") shall hold a hearing regarding possible revocation or suspension of Respondent's Kentucky teaching and/or administrative certifications, pursuant to KRS 161.120, on a date to be determined by a hearing officer at the office of the Attorney General, 1024 Capital Center Drive, Frankfort, Kentucky 40601.

The hearing officer who shall hear this case for the EPSB is Hon. James Gay or his designee, Division of Administrative Hearings, Office of the Attorney General, 1024 Capital Center Drive, Frankfort, Kentucky 40601, telephone (502) 696-5442.

Counsel for the EPSB is Gary A. Stephens, c/o EPSB, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601, telephone (502) 564-4606.

Counsel for the Respondent is Jeff Walther, Walther, Roark & Gay, P.O. Box 1598, 163 East Main Street, Lexington, Kentucky 40588-1598, telephone (859) 225-4714.

Respondent's last known address is

All original pleadings should be filed with the EPSB. Copies should be sent to the Hearing Officer and counsel for both parties.

The specific statutes which relate to the issues involved and the procedure to be followed at this hearing are KRS 161.120, 16 KAR 1:020, 16 KAR 1:030 and KRS 13B.

Respondent is advised that he has the right to be represented by counsel at this hearing at his own expense, the right to answer the charges, the right to confront witnesses against him, the right to subpoena witnesses and present such witnesses on his behalf, and the right to appeal any disciplinary action taken against his certificate. Upon reasonable notice, all parties have the right to examine, at least five (5) days prior to the hearing, a list of witnesses the parties expect to call at the hearing, any evidence to be used at the hearing, and any exculpatory information in the agency's possession.

Any party who fails to attend or participate as required at any stage of the administrative hearing process may be held in default under KRS 13B.

Notification of any certificate revocation or suspension shall be presented to all local school boards of education in Kentucky and all agencies in the United States of America responsible for the issuance of teaching certificates.

The Parties

1. The EPSB has jurisdiction over the administrative certification and discipline of teachers in the Commonwealth of Kentucky pursuant to KRS Chapter 161.

2. At the time of the incidents in question, Respondent was duly certified in the Commonwealth of Kentucky having been issued a Professional Certificate for Teaching in the Middle School, Grades 5 Through 9, and a Professional Certificate for Teaching Social Studies, Grades 8 Through 12, by the EPSB. The certificates expired on June 30, 2007, and Respondent has not re-applied for certification. (Exhibit A)

Factual Allegations to Support Counts One through Thirty Two

3. On or about February 22, 2006, Melissa Hicks, a teacher at Pendleton County High School, in the Commonwealth of Kentucky, overheard a female student stating that Respondent frequently talks about sex and makes her feel uncomfortable.

4. Ms. Hicks reported the matter to John White, the principal, who, along with Todd Deenie, the School Resource Officer, began interviewing students.

5. Throughout the 2005-2006 school year, Respondent made statements to a student, that made her feel uncomfortable. For example, Respondent repeatedly told that she was "hot," and gets "hotter and hotter."

6. During the same time period, Respondent made comments to others about _____'s buttocks. _____ in her interview with Mr. White and Mr. Deenie, indicated that Respondent made the same comments to other girls in the class.

7. During the 2005-2006 school year, Respondent made numerous comments about sex lives of historical figures which had no bearing on the subjects taught. _____, a student, indicated that this happened frequently, and cited an example where Respondent mentioned that Catherine the Great had sex with animals.

8. [redacted] also claimed that, during the school year, Respondent told her and her step sister that they were "hot" and made comments to [redacted] about what was under her shirt.

9. [redacted] es, another student, indicated that Respondent has made comments about students being "hot," including [redacted] J [redacted] r, and [redacted]

E. a. According to [redacted], Respondent also said that [redacted] had "nice boobs."

10. Respondent told [redacted] on that she and her sister were "good looking" and "hot." [redacted] also indicated that a student, [redacted] el, told Respondent to look at [redacted] s butt and Respondent replied that it was "nice."

11. During American History class in the 2005-2006 school year, Respondent, after being told by another student that [redacted] -----, a student, had a "ghetto bootie," agreed, saying "Yeah, she does, doesn't she?"

12. During the 2005-2006 school year, Respondent told [redacted] a student, that she "get[s] hotter every day," that her "boobs are so big," and that she was one of his favorite students.

13. [redacted] also indicated that Respondent, on one occasion during the school year, grabbed his own neck, rubbed it up and down, then spit, simulating masturbation.

14. During the 2005-2006 school year, [redacted] a student, heard Respondent ask [redacted] el, a student, if he "hit that last night," talking about [redacted] [redacted], another student.

15. Respondent admitted that, during the 2005-2006 school year, he taught his history class that Napoleon Bonaparte had a disease where the pituitary gland was working in reverse,

and that Napoleon was becoming a woman. Respondent related that Napoleon's male genitalia were shrinking and said that the disease was called pituitary eunichoidism.

16. Respondent also admitted that he taught the class that Catherine the Great had an insatiable appetite for sex and, in fact, died while having sex with a horse.

17. Respondent also admitted that he taught his history class that John F. Kennedy was told by his father at a young age to have sex as often and with as many women as he could. Respondent further related that President Kennedy's father was sexually involved with Gloria Swanson, and that President Kennedy and his brothers liked sexual liaisons with Hollywood actresses.

Count One

18. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(a)3 during the 2005-2006 school year when he failed to take reasonable measures to protect the health, safety, and emotional well-being of _____ by making inappropriate comments to and/or about her. Said conduct is in violation of KRS 161.120(1)(m).

Count Two

19. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(c)1 during the 2005-2006 school year when he engaged in behavior which failed to maintain the dignity and integrity of the teaching profession by making inappropriate comments to and/or about _____. Said conduct is in violation of KRS 161.120(1)(m).

Count Three

20. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(a)7 during the 2005-2006 school year when he subjected _____ to disparagement and embarrassment by making inappropriate comments to and/or about her.

Count Four

21. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(a)8 during the 2005-2006 school year when he engaged in sexually related behavior by making inappropriate comments to and/or about _____. Said conduct is in violation of KRS 161.120(1)(m).

Count Five

22. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(a)3 during the 2005-2006 school year when he failed to take reasonable measures to protect the health, safety, and emotional well-being of _____ by making inappropriate comments to and/or about her. Said conduct is in violation of KRS 161.120(1)(m).

Count Six

23. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(c)1 during the 2005-2006 school year when he engaged in behavior which failed to maintain the dignity and integrity of the teaching profession by making inappropriate comments to and/or about _____. Said conduct is in violation of KRS 161.120(1)(m).

Count Seven

24. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(a)7 during the 2005-2006 school year when he subjected _____ e to disparagement and embarrassment by making inappropriate comments to and/or about her.

Count Eight

25. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(a)8 during the 2005-2006 school year when he engaged in sexually related behavior by making inappropriate comments to and/or about _____. Said conduct is in violation of KRS 161.120(1)(m).

Count Nine

26. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(a)3 during the 2005-2006 school year when he failed to take reasonable measures to protect the health, safety, and emotional well-being of _____ by making inappropriate comments to and/or about her. Said conduct is in violation of KRS 161.120(1)(m).

Count Ten

27. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(c)1 during the 2005-2006 school year when he engaged in behavior which failed to maintain the dignity and integrity of the teaching profession by making inappropriate comments to and/or about _____. Said conduct is in violation of KRS 161.120(1)(m).

Count Eleven

28. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(a)7 during the 2005-2006 school year when he subjected _____ y to disparagement and embarrassment by making inappropriate comments to and/or about her.

Count Twelve

29. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(a)8 during the 2005-2006 school year when he engaged in sexually related behavior by making inappropriate comments to and/or about _____. Said conduct is in violation of KRS 161.120(1)(m).

Count Thirteen

30. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(a)3 during the 2005-2006 school year when he failed to take reasonable measures to protect the health, safety, and emotional well-being of _____ by making inappropriate comments to and/or about her. Said conduct is in violation of KRS 161.120(1)(m).

Count Fourteen

31. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(c)1 during the 2005-2006 school year when he engaged in behavior which failed to maintain the dignity and integrity of the teaching profession by making inappropriate comments to and/or about _____. Said conduct is in violation of KRS 161.120(1)(m).

Count Fifteen

32. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(a)7 during the 2005-2006 school year when he subjected _____ to disparagement and embarrassment by making inappropriate comments to and/or about her.

Count Sixteen

33. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(a)8 during the 2005-2006 school year when he engaged in sexually related behavior by making inappropriate comments to and/or about _____. Said conduct is in violation of KRS 161.120(1)(m).

Count Seventeen

34. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(a)3 during the 2005-2006 school year when he failed to take reasonable measures to protect the health, safety, and emotional well-being of _____ making inappropriate comments to and/or about her. Said conduct is in violation of KRS 161.120(1)(m).

Count Eighteen

35. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(c)1 during the 2005-2006 school year when he engaged in behavior which failed to maintain the dignity and integrity of the teaching profession by making inappropriate comments to and/or about _____. Said conduct is in violation of KRS 161.120(1)(m).

Count Nineteen

36. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(a)7 during the 2005-2006 school year when he subjected _____ to disparagement and embarrassment by making inappropriate comments to and/or about her.

Count Twenty

37. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(a)8 during the 2005-2006 school year when he engaged in sexually related behavior by making inappropriate comments to and/or about _____. Said conduct is in violation of KRS 161.120(1)(m).

Count Twenty One

38. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(a)3 during the 2005-2006 school year when he failed to take reasonable measures to protect the health, safety, and emotional well-being of _____ by making inappropriate comments to and/or about her. Said conduct is in violation of KRS 161.120(1)(m).

Count Twenty Two

39. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(c)1 during the 2005-2006 school year when he engaged in behavior which failed to maintain the dignity and integrity of the teaching profession by making inappropriate comments to and/or about _____. Said conduct is in violation of KRS 161.120(1)(m).

Count Twenty Three

40. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(a)7 during the 2005-2006 school year when he subjected _____ on to disparagement and embarrassment by making inappropriate comments to and/or about her.

Count Twenty Four

41. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(a)8 during the 2005-2006 school year when he engaged in sexually related behavior by making inappropriate comments to and/or about _____. Said conduct is in violation of KRS 161.120(1)(m).

Count Twenty Five

42. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(c)1 during the 2005-2006 school year when he engaged in behavior which failed to maintain the dignity and integrity of the teaching profession by simulating masturbation in front of his class. Said conduct is in violation of KRS 161.120(1)(m).

Count Twenty Six

43. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(a)8 during the 2005-2006 school year when he engaged in sexually related behavior by simulating masturbation in front of his class. Said conduct is in violation of KRS 161.120(1)(m).

Count Twenty Seven

44. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(c)1 during the 2005-2006 school year when he engaged in behavior which failed to maintain the dignity and integrity of the teaching profession by making sexual remarks about [redacted] to [redacted]

Said conduct is in violation of KRS 161.120(1)(m).

Count Twenty Eight

45. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(a)8 during the 2005-2006 school year when he engaged in sexually related behavior by making inappropriate comments about [redacted] to [redacted] rel. Said conduct is in violation of KRS

161.120(1)(m).

Count Twenty Nine

46. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(a)3 during the 2005-2006 school year when he failed to take reasonable measures to protect the health, safety, and emotional well-being of his history classes by making inappropriate sexual comments about historical figures. Said conduct is in violation of KRS 161.120(1)(m).

Count Thirty

47. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(c)1 during the 2005-2006 school year when he engaged in behavior which failed to maintain the

dignity and integrity of the teaching profession by making inappropriate sexual comments to his history classes about historical figures. Said conduct is in violation of KRS 161.120(1)(m).

Count Thirty One

48. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(a)7 during the 2005-2006 school year when he subjected his history classes to disparagement and embarrassment by making inappropriate sexual comments about historical figures.

Count Thirty Two

49. Based upon the allegations in paragraphs 1 through 17, to be supplemented by evidence at the hearing of this matter, Respondent violated 16 KAR 1:020 Section 1(3)(a)8 during the 2005-2006 school year when he engaged in sexually related behavior by making inappropriate sexual comments about historical figures to his history classes. Said conduct is in violation of KRS 161.120(1)(m).

Demand for Relief

50. Accordingly, sufficient grounds exist for disciplinary action against Respondent's teaching certificate in the Commonwealth of Kentucky pursuant to KRS 161.120.

51. Wherefore, as a result of the foregoing administrative charges, the EPSB seeks a recommendation that the EPSB suspend, revoke, or decline to reissue or renew Respondent's teaching certificate.

Respectfully submitted,

COMMONWEALTH OF KENTUCKY
EDUCATION PROFESSIONAL STANDARDS BOARD

By:


GARY A. STEPHENS
Attorney
100 Airport Road, 3rd Floor
Frankfort, Kentucky 40601
Phone: (502) 564-4606
Fax: (502) 564-7080

Attachments provided to Respondent: KRS 161.120, 16 KAR 1:020, 16 KAR 1:030, and KRS 13B and Exhibit A, inclusive.

Attachments provided to Counsel for Respondent, EPSB, and the Hearing Officer: Exhibits A, inclusive.

Certificate of Service

I hereby certify that a copy of the foregoing Notice of Hearing and Statement of Charges and Issues was hand delivered to the EPSB and was mailed this 13th day of December, 2007 to the following:

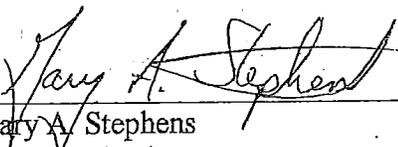
Honorable James Gay
Chief Hearing Officer
Office of the Attorney General
1024 Capital Center Drive
Frankfort, Kentucky 40601

Honorable Jeffrey S. Walther
Walther, Roark & Gay
P.O. Box 1598
163 East Main Street
Lexington, Kentucky 40588-1598
Counsel for the Respondent

And by Certified Mail to:

Timothy C. Carver

Respondent


Gary A. Stephens



COMMONWEALTH OF KENTUCKY
EDUCATION PROFESSIONAL STANDARDS BOARD
FRANKFORT, KENTUCKY

CERTIFICATE FOR TEACHERS AND OTHER PROFESSIONAL SCHOOL PERSONNEL

A

THIS CERTIFIES THAT **TIMOTHY CHRISTOPHER CARVER**

CERTIFICATE NUMBER

HAS COMPLETED A PROGRAM OF PROFESSIONAL PREPARATION AND IS HEREBY ISSUED THIS CERTIFICATE IN ACCORDANCE WITH SECTION 161 OF THE KENTUCKY REVISED STATUTES AND IN ACCORDANCE WITH THE LEGAL AUTHORITY OF THE KENTUCKY EDUCATION PROFESSIONAL STANDARDS BOARD.

Code Degree and Institution

1592 BACHELOR'S DEGREE, OHIO STATE UNIVERSITY
 1834 MASTER'S DEGREE, UNIVERSITY OF DAYTON

RANK 2 EFFECTIVE 07/01/2002

VALID FROM THE INDICATED EFFECTIVE DATE TO EXPIRATION DATE FOR PROFESSIONAL SERVICES IN KENTUCKY SCHOOLS AS SHOWN BELOW. THIS DOCUMENT INCLUDES ALL CERTIFICATION CURRENTLY IN EFFECT FOR THE RECIPIENT AND SUPERSEDES ANY AND ALL CERTIFICATES PREVIOUSLY ISSUED.

Code Certification Effective Date Expiration Date

KMD	PROFESSIONAL CERTIFICATE FOR TEACHING IN THE MIDDLE SCHOOL, GRADES 5 THROUGH 9	07/01/2002	06/30/2007
KSS	PROFESSIONAL CERTIFICATE FOR TEACHING SOCIAL STUDIES, GRADES 8 THROUGH 12	07/01/2002	06/30/2007
G20	MIDDLE SCHOOL TEACHING FIELD: SOCIAL STUDIES		

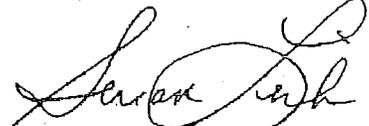
MUST COMPLETE THREE YEARS OF TEACHING EXPERIENCE OR 6 SEMESTER HOURS OF NEW GRADUATE CREDIT BY SEPTEMBER 1 OF THE YEAR OF EXPIRATION.

IT IS THE RESPONSIBILITY OF THE CERTIFICATE HOLDER TO MAINTAIN THE VALIDITY OF THIS CERTIFICATE

(See reverse side for renewal requirements)

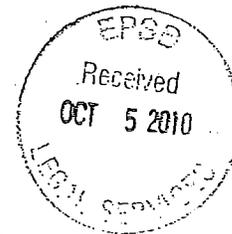
DATE OF TRANSACTION: 04-09-2002

M195602M MP


 EXECUTIVE DIRECTOR
 EDUCATION PROFESSIONAL STANDARDS BOARD

TIMOTHY CHRISTOPHER CARVER

One copy of this document should be filed with the employer.



COMMONWEALTH OF KENTUCKY
KENTUCKY EDUCATION PROFESSIONAL STANDARDS BOARD
AGENCY CASE NO. 06-0362
CERTIFICATE NO. XXX-XX-4024

KENTUCKY EDUCATION PROFESSIONAL
STANDARDS BOARD

PETITIONER

VS.

AGREED ORDER

TIMOTHY CARVER

RESPONDENT

* * * * *

Comes the Petitioner, the Kentucky Education Professional Standards Board (hereinafter "the Board"), by counsel, and the Respondent, Timothy Carver (hereinafter "Carver"), and both parties being duly informed, state as follows:

1. At the time of the incidents in question, Carver was a certified teacher in the Commonwealth of Kentucky, having been issued certificate number XXX-XX-4024.
2. Pursuant to Kentucky Revised Statutes ("KRS") 161.120 and 161.028, the Board is authorized to issue and control all matters related to teacher certification not otherwise delegated to another agency in the Commonwealth. The Board has the statutory responsibility to protect the public from unprofessional conduct on the part of certified teachers and administrators.
3. On December 13, 2007, the EPSB filed a Notice of Hearing and Statement of Charges and Issues based on allegations of inappropriate comments by Carver regarding matters being taught in class. Carver admits making the statements attributed to him in paragraphs 15-17 of the Notice of Hearing and Statement of Charges and Issues in the context of questions from students or in a discussion of the personal lives of historical figures and the impact they may have had on history.
4. Carver acknowledges that such behavior could be sufficient to support a finding that he violated KRS 161.120 and 16 KAR 1:020, the Professional Code of Ethics for Kentucky School Certified Personnel.
5. Carver and the Board agree to address this matter by Agreed Order. After being signed by Carver, this Agreed Order shall be presented to the Board with a recommendation for approval from the Board's chief prosecuting attorney, or her designee, at the next scheduled meeting of the Board following receipt of the Agreed Order. The Agreed Order shall not become effective until it has been approved by a majority of the Board and signed by the chair of the Board.

Carver understands that the Board is free to accept or reject this Agreed Order. Carver hereby agrees to waive any right he may have to challenge, based solely on the presentation of the Agreed Order to the Board, the impartiality of the Board to hear the administrative action if, after review by the Board, this Agreed Order is rejected.

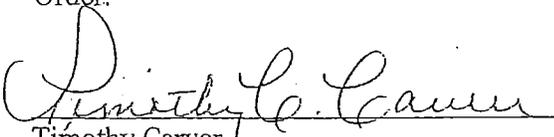
If the Agreed Order is not accepted by the Board, it shall be regarded as null and void. Representations and/or admissions by Carver in this Agreed Order, or other settlement proposals, will not be regarded as evidence against Carver at any subsequent disciplinary hearing. Carver shall be free to defend himself and no inference will be made against Carver for his willingness to enter into this Agreed Order.

6: Following review by the Board of the facts and circumstances associated with the case against Carver,

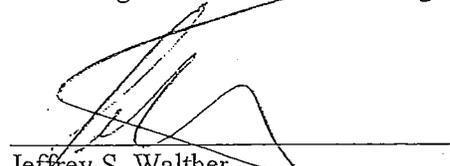
IT IS HEREBY ORDERED THAT:

Carver's certificate is suspended retroactively for five (5) days beginning June 20, 2006. Carver shall surrender the original and all copies of his certificate immediately, by first class mail or personal delivery to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

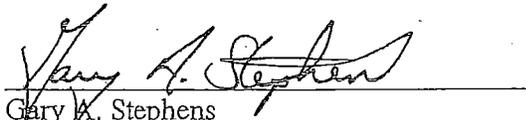
By entering into this Agreed Order, Carver expressly acknowledges that he is fully and completely informed of the due process rights afforded under KRS 161.120 and KRS 13B and he knowingly, willingly and voluntarily agrees to waive those rights and enter into this Agreed Order.



Timothy Carver
Respondent



Jeffrey S. Walther
Attorney for Respondent



Gary A. Stephens
Attorney for the EPSB

Entered into this 25 day of October, 2006



Lorraine Williams, Chair
Education Professional Standards Board

WALTHER, ROARK, GAY & TODD, PLC
ATTORNEYS

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JEFFREY S. WALTHER*
ROBERT L. ROARK
JONATHAN L. GAY**
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E-MAIL: JWALTHER@WRGNT.COM



OF COUNSEL

WHAYNE M. HOUGLAND

MARTHA F. GAY **

* ALSO ADMITTED IN OHIO
** ALSO ADMITTED IN WEST VIRGINIA

May 1, 2006

Alicia Sneed
Division of Legal Services
Education Professional Standards Board
100 Airport Road, 3rd Floor
Frankfort, Kentucky 40601

Re: Tim Carver
Certificate No.:

Dear Alicia:

Please consider this letter Mr. Carver's response to your correspondence of March 27, 2006. Mr. Carver has done nothing to justify taking action against his certificate, and this matter should therefore be dismissed.

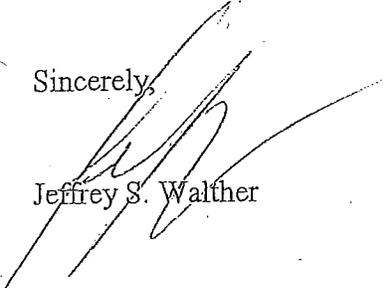
As you can see from the Superintendent Yost's report, Mr. Carver denies engaging in any inappropriate conduct with students. Mr. Carver specifically denies making the statements attributed to him referring to a student as "hot," commenting on a female student's body, or any students' body parts. Any student initiated conversations relating to sexual matters are appropriately discussed and/or redirected as necessary by Mr. Carver. Mr. Carver has mentioned sex related matters in his history class relevant to the material being taught, and any such references were age and context appropriate.

Many of the specific matters set forth in Superintendent Yost's letter were never mentioned to Mr. Carver by local school officials. Mr. Carver was told that he needed to undergo boundary training for three issues; (1) his players felt talking to him was like talking to "one of the guys," (2) discussion of sex related topics in class, and (3) inappropriately counseling students. Mr. Carver successfully completed Rosa Weaver's training program.

Alicia Sneed
May 1, 2006
Page 2

Mr. Carver requests that this matter be dismissed. Please call if you require any further information.

Sincerely,



Jeffrey S. Walther

cc: Tim Carver



PENDLETON COUNTY SCHOOLS

2525 HWY 27 NORTH
FALMOUTH, KY 41040
859-654-6911 FAX 859-654-6143

J. Robert Yost
Superintendent



March 14, 2006

Education Professional Standards Board
100 Airport Road, 3rd Floor
Frankfort, KY 40601

Re: Timothy C. Carver
Address:
Phone Number: 859-472-1288
Social Security No.:
Position: Teacher at Pendleton County High School

To Whom It May Concern:

In accordance with KRS 161.120(2), I am informing you of conduct engaged in by the above individual that might reasonably be expected to warrant consideration for action against his teaching certificate under KRS 161.120(1).

On February 22, 2006, a teacher at Pendleton County High School overheard a female student stating that Mr. Carver talks a lot about sex and makes her feel uncomfortable. This teacher made a report to the school Principal, John White. Mr. White and the School Resource Officer, Todd Deenie, immediately began interviewing students.

Interviews were conducted by the above two individuals with the following students:

Copies of the statements obtained from these students are attached hereto.

Based upon the foregoing interviews, Mr. White and Officer Deenie contact the Board Attorney, Donald J. Ruberg. Mr. Ruberg immediately made a report to the Cabinet for Families and Children. Initially, the Cabinet worker, Ivan Lee (spelling uncertain), made the decision not to investigate the matter.

Don Tetrick
Assistant Superintendent

David Tackett
Director of Pupil Personnel

Pamela Harper
Curriculum/Instruction

Patricia Lynch
Special Education

Michele Crowley
Technology/CIO

Effective Teaching for Maximum Learning

The Board Attorney then came to the Pendleton County High School. After reviewing the statements listed above, he conducted an interview of Mr. Carver.

During the initial part of the interview, Mr. Carver steadfastly denied doing anything which might make female students uncomfortable, was inappropriate, or off color. He also denied any knowledge of any third parties engaged in such conduct.

Mr. Carver was then questioned relative to the specific allegations in the above statements. Mr. Carver denied ever stating that any female student was "hot". He did admit that, in dealing with one student who had low self-esteem, he tried to build this self-esteem up by saying she was nice looking or looked good. He maintained that the use of this term "hot" was not in his vocabulary. Mr. Carver denied ever commenting about a female student's breasts or "boobs". Mr. Carver denied commenting about a female student's "butt" as well as asking a male student a question such as "Are you tappin' that?" after having commented about that student's "butt".

Mr. Carver denied ever using the term "headlights" in referring to a female student. When asked what this means, Mr. Carver said that male students use this term when a female student's nipples show through her shirt. He has heard multiple students use such a comment. When he hears these comments, he informs the students that such comments are inappropriate.

Initially, Mr. Carver denied ever making comments relative to sexual matters in his class. He then retracted this stating that such comments were not made by him to the best of his recollection.

Mr. Carver denied ever relating sexual jokes in the class. He said he is very careful as to what he says around students.

Mr. Carver denied ever asking a female student what was under her shirt. He then said he might have done this if he had reason to believe that there was some contraband under her shirt.

Mr. Carver denied ever referring to a student's stepsister as "hot." He denied stating that the more he sees this stepsister the hotter she gets. He did tell a student by the name of Caylin Alsip that she gets better looking every day.

When Mr. Carver was informed that female students in his class had made these allegations, he maintained he was at a loss to understand why the allegations were made. Mr. Carver stated he always tries to maintain a strict degree of professionalism in his dealings with students. This is true even though he tries to make himself available to students such that they can confide matters to him.

Mr. Carver denied ever having allegations like this made about him in the past, prior to coming to Pendleton County three and a half years ago after teaching for several years in Ohio. The Board Attorney has contacted the two schools he taught at prior to coming to Pendleton County and has substantiated this statement by Mr. Carver to the extent that he is able.

Mr. Carver has education and experience as a guidance counselor. As stated above, he tries to make himself available to students to discuss their concerns. Mr. Carver stated that many of these concerns deal with sexual matters. Some of the matters related to Mr. Carver were as follows:

- Student A - Confided that he and another female student were involved sexually.
- Student B - Related that he had intercourse with another students at various parties.
- Student C - Said she was involved with another student who had graduated last year and was about to have intercourse with him, but later backed off.
- Student D - Said he and his girlfriend were sexually active. Mr. Carver described them as passionate but was uncertain if they were engaging in intercourse.
- Student E - Related how, during the previous summer, he had sexual intercourse for the first time.
- Student F - Confided in him she was possibly pregnant.

The names of the above students can be obtained from the Board attorney.

Mr. Carver said students often speak to him about their fantasies, masturbation, and sexual experiences. In response to their fantasies, Mr. Carver told them that such fantasizing is normal, not wrong, and will not hurt them. He explained that masturbation is not unusual for boys in their age group; however, it can be harmful if done in excess. Mr. Carver stated that he would prefer that students not relate their sexual experiences to him, but often times, they need someone to talk to so he lends an ear. He said these experiences make him uncomfortable, as he is not their father. These students should confide in their parents, but many of them do not have parents who are available. Mr. Carver talks to the students if he can and refers them on to school guidance counselors if necessary.

Mr. Carver denied ever talking about sexual matters in class, stating he teaches history, not health. He then went on to state that, if historical facts that involved sexual matters, he did mention them. When asked to give examples, he related the following:

-When King Henry, VIII of England found out one of his wives was involved with someone else, he beheaded her.

-Napoleon Bonaparte had a disease where the pituitary gland was working in reverse, and as a result, he was becoming a woman. His male genitalia were shrinking. He described this disease as pituitary eunichoidism.

-Catherine the Great, Empress of Russia, had an insatiable appetite for sex. She was

involved with several lovers. It was uncertain whether her children were children of her husband or of her various liaisons. Finally, Catherine the Great died while having intercourse with a horse.

-President Kennedy was involved with Marilyn Monroe. When President Kennedy was younger, his dad told him, as well as his brothers, to have sex as often as they could and with as many women as they could. President Kennedy's father was sexually involved with Gloria Swanson. President Kennedy and his brothers liked sexual liaisons with Hollywood actresses.

-Rasputin had sex with countless individuals, including the Empress of Russia.

Mr. Carver did not feel the above subjects were inappropriate for a high school history class. He described them as historical facts that he simply related. He did not feel that any of these historical facts would make anyone in his class feel uncomfortable. Mr. Carver did not think his relating these facts was either strange or unusual. He stated that he doubted that any student would view him as being perverted due to relating these historical facts.

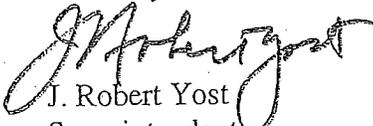
Further students were identified and interviewed the following day by Mr. White and Officer Deenie. These students were

Copies of these statements are attached also.

Based on the foregoing investigation, I met with Mr. Carver on February 23. He was removed from his classroom assignment and instructed to work out of the Falmouth School Center. Mr. Carver has been instructed he is not to have contact with students while this investigation is pending. The investigation is ongoing at this time. I have made arrangements for him to attend the boundary training offered by Dr. Rosa Weaver at the end of this month. It is my further intent to have him evaluated by a qualified mental health professional as to his ability to maintain a proper student-teacher relationship and return to the classroom. Upon completion of the boundary training and receipt of the report from the qualified mental health professional, I will make a decision as to what, if any, further action needs to be taken relative to Mr. Carver.

On March 7, 2006, the Cabinet informed me that it was going to investigate the allegations against Mr. Carver based upon the report that Mr. Ruberg made on February 22. It is my understanding that this investigation is also ongoing at this time.

Sincerely,


J. Robert Yost
Superintendent

1 of 2

This is a list of girls I have personally heard Mr. Carver say comments to like: (you're cute) and he's told Sasha she had a nice butt

every morning during care group Mr. Carver tells me that "I'm hot, and that everytime he sees me I get hotter and hotter." if I'm doing work and I look up he's staring at me and then he'll wink. if the football team is in his room he'll say "ain't she hot?" I have also heard him make comments about my butt. I have heard him tell another girl that she only gets to go to her locker because she was cute, then he turned to me and said "But not as hot as you, because nobody could be that hot"

during class he makes ~~sexual~~ comments about sex that has nothing to do with the lesson. he also jokes with a girl that had ~~sexual~~ rumors spread about her.

1 2

2/22/06
Mr White - Do you feel as though Mr Carver
is "hitting on" you and other girls
when he makes these statements?

yes, i do. And it makes me feel very
uncomfortable. I don't think that
the comments he makes are just
nice compliments. they are deffinetly
words used to flirt and I've also
seen him talk this way to other
girls.

2/23/06

Sometimes sitting in Class Mr Carver will make comments and they will end up relating to sex. He jokes around like two teenagers would about sex.

When he was teaching us about history things he would also tell us how ~~about~~ sex would tie into it.

One time he was telling us about the Great and told us about how she had sex with animals.

He has made comments to me about what is under my shirt and sometimes I will look up and he is staring at me.

He has also told my step sister how hot she is and the more he sees her the hotter she gets.

u 2/28/06

4

2/22/06

can't think of particular quote
But basically about how we look
& that we are not.

Someone said "talks
like a guy, and he said "well,
one definitely doesn't look like one"

He said:
Boos U

had nice

5

... said look at her butt talking
about me and ^{carver} he looked and said
is nice.

- He always says that me and my
sister are good looking ~~as~~ and that
- I myself have ~~to~~ heard him say that

2/28/06

7

Mr. W & Mr. Deaney asked if Coach Conner talked about anything inappropriate in class or if I have any problems with him.

I can go to him about different problems such as friends, family, relationship. I feel comfortable talking to him and going to his class. ~~his~~ When I ask for his advice his advice is, talk to the person or your would be better to talk to your mom or a counselor. I have no problems with him and he don't really talk about anything inappropriate.

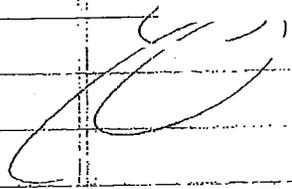
2/23/06

U 1

I started by ~~an~~ overheard conversation
 in reference to Mr. Carver
 making comments about girls in his
 class. I later joined in conversation by
 saying I'd heard that before (in reference to
 saying he was "perverted"
 last year on my way to lunch)
 and vehemently stated that he
 was always talking about girls in his
 classes and that in their class,
 was a common target.

I was also in the room
 during this conversation, and did not
 contribute much, but mostly agreed with the
 other girls.

In my experience in Mr. Carver's class,
 he has never directed comments toward me.

 2/22/06

told me last year
while at Football Practice he overheard
Coach Carver talking about me. The
only thing he heard was Coach Carver
saying I am Hott. After Coach Carver
realized he was standing there he said
nothing else. I heard from someone
he talks about my butt and asks
questions like "Are you tappin' that?"
But not sure who told me, since
said it wasn't him who told me. He also
says things in class that is uncalled for,
and again not sure what it was he
says. He makes me feel very uncomfortable.

2/22/06

At the beginning of U.S. History, before everyone is seated, some students come to talk to Mr. Carver. On one occasion ~~she~~ said she had a "ghetto booty". Mr. Carver agreed saying "yeah, she does doesn't she" I didn't say any ~~thing~~ thing, I just went into the hall and waited for the bell to ring for class. One other time I was walking into class when Carver said to other students "Man, _____ is hotter now that she got those highlights" he was laughing. I didn't think it was appropriate but I just let it go. Mr. Carver doesn't really offend me but he may offend other girls. I don't like what he says at all but I don't want to make it a bigger deal than what it is.

he said "you get hotter every day"

"your boobs are so big"

"you are one of my favorite students"

I showed him a picture of
at sweet hearts

he then said

"she's hot"

during class he grabbed his neck
moving hard up and down then
split.

ewww...

Comments: he's a good teacher
and means well he just gets in
his own little world.

I like him as a person and
he's nice and a good teacher!

2-23-06

12

"Did you hit that last night?" - Mr. Carver asking
I heard coach Carver say this last year.
about
last year

Anything inappropriate in class? - Mr. White
"Nothing was ever said or discussed in class that made me feel uncomfortable or was inappropriate."

2/23/06

6

us history, mr. canner
 in class sometimes things
 were out of context. sometimes
 punned jokes or things were
 said but nobody in my class
 was hurt. I heard things
 from other people that he
 said ~~bad~~ things to them.
 I heard that he commented
 on bottom but it
 was through the grade line.

J- 2/23/06 J



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March 25, 2015

Robert L. Brown, Executive Director
Education Professional Standards Board
100 Airport Road
Frankfort, KY 40601

Dear Mr. Brown:

I am requesting a waiver of the two years of administrative experience for admission to the Superintendent Program at EKU for Jackie Rogers. I request you approve substituting one year of experience as a Curriculum Specialist in Pulaski County Schools for one year of administrative experience, as allowed under "other experience as approved by EPSB" in the regulation. This year combined with her current year as principal at Science Hill School will give her the administrative experience required for admission to the program. I anticipate Ms. Rogers will enroll in the Superintendent Program during the Summer 2015 term.

Thank you in advance for your consideration of this request.

Respectfully,

Dr. Kim Naugle Ph.D
Associate Dean
College of Education

