

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

August 10, 2015

Monday, August 10, 2015

9:00 AM EDT Call to Order

Roll Call

Open Speak

Approval of Consent Items

- A. Approval of June 8, 2015, EPSB Minutes (**Pages 1-36**)
- B. Visually Impairments (Graduate Level), University of Kentucky (Ms. Allison Bell) (**Pages 37-38**)
- C. Planned Program for Rank I (Ed.D. with Superintendent Certification), Bellarmine University (Ms. Bell) (**Pages 39-40**)

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. Jimmy Adams)

Report of the Chair

- A. Recognition of Out-Going Board Member
- B. Report from the Nominating Committee for Chair and Vice Chair (Dr. Mary John O’Hair)
- C. Executive Director Search Committee Update (Dr. O’Hair)

Appointments

- A. Task Force to Study Policies to Review and Make Recommendations on Combating Inappropriate Student-Teachers Relationships
- B. CAEP Partnership Agreement Task Force

Information/Discussion Items

- A. Awarded Contracts (Mr. Adams) (**Pages 41-42**)
- B. Financial Report for Fiscal Year 2015 (Mr. Adams) (**Pages 43-44**)

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- C. 16 KAR 1:030. Procedures for Certificate Revocation, Suspension, Reinstatement and Reissuance, and Application Denial, Amendment, Notice of Intent (Mr. Michael Head) **(Pages 45-46)**

Action Items

- A. 16 KAR 2:110. Endorsement for Teachers for Gifted Education, Amendment, Final Action (Ms. Cindy Godsey) **(Pages 47-58)**
- B. 16 KAR 2:140. Probationary Certificate for Teachers of Children, Birth to Primary, Amendment, Final Action (Ms. Godsey) **(Pages 59-72)**
- C. 16 KAR 2:150. Probationary Certificate for Teachers of Engineering and Technology Education, Amendment, Final Action (Ms. Godsey) **Pages 73-86)**
- D. 16 KAR 2:160. Probationary Certificate for Teachers of Exceptional Children, Amendment, Final Action (Ms. Godsey) **(Pages 87-100)**
- E. 16 KAR 2:170. Probationary Certificate for Middle School Teachers, Amendment, Final Action (Ms. Godsey) **(Pages 101-114)**
- F. 16 KAR 2:200. Probationary Certificate for Teachers for English as a Second Language, Amendment, Final Action (Ms. Godsey) **(Pages 115-126)**
- G. 16 KAR 3:030. Professional Certificate for Directors and Assistant Directors of Pupil Personnel, Amendment, Final Action (Ms. Godsey) **(Pages 127-140)**
- H. 16 KAR 3:040. Director of Special Education, Amendment, Final Action (Ms. Godsey) **(Pages 141-156)**
- I. 16 KAR 9:030. Professional Certificate for College Faculty: Secondary Education, Amendment, Final Action (Ms. Godsey) **(Pages 155-166)**
- J. 16 KAR 9:040. Part-Time Adjunct Instructor Certificate, Amendment, Final Action (Ms. Godsey) **(Pages 167-180)**
- K. 16 KAR 2:100. Junior Reserve Officers Training Corps Certification, Amendment, Final Action (Ms. Godsey) **(Pages 181-194)**
- L. KTIP Appeals (Ms. Donna Brockman) **(Pages 195-198)**
- M. Transylvania University Accreditation (Ms. Bell) **(Pages 199-206)**

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Waivers

- A. 16 KAR 5:040. Request to Waive Cooperating Teacher Requirements, Dr. Sam Evans on behalf of Ms. Amber Thompson (Ms. Bell) **(Pages 207-210)**
- B. 16 KAR 5:040. Request to Waive Cooperating Teacher Requirements, Dr. Sam Evans on behalf of Ms. Susan Towery (Ms. Bell) **(Pages 211-214)**
- C. 16 KAR 5:040. Request to Waive Cooperating Teacher Requirements, Dr. Sam Evans (Ms. Bell) **(Pages 215-218)**
- D. 16 KAR 8:020. Request to Waive Graduate Program Requirements for Rank II, Ms. Audrey Kenney (Ms. Godsey) **(Pages 219-222)**
- E. 16 KAR 2:010. Request for Extension to Complete Master's Degree, Ms. Barbara Connin (Ms. Godsey) **(Pages 223-226)**
- F. 16 KAR 2:120. Request to Waive Language Pertaining to Emergency Certification Issuance to the Same Person in any Subsequent Year, Bell County (Ms. Godsey) **(Pages 227-230)**

Alternative Route to Certification Application

Mary Rockey, Biology, Grades 8-12 (Ms. Godsey) **(Pages 231-233)**

Board Comments

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

Certification Review and Revocation: Pending Litigation Review

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

Adjournment

Next Regular Meeting: October 12, 2015
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The actions delineated below were taken in open session of the EPSB at the June 8, 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 June 8, 2015, EPSB meeting: Brandy Beardsley, Ellen Blevins, Barbara Boyd, Tolya Ellis, Robert King, Marie McMillen, Mary John O'Hair, Cindy Parker, Laura Schneider, Sandy Sinclair-Curry, Anthony Strong, Shannon Treece, Cassandra Webb, and David Whaley. Allen Kennedy and Michael Ross were absent.

Board's Mission Statement

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

Open Speak

There were no requests for Open Speak.

Approval of Consent Items

Chair 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.

2015-017

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

Approval of March 23, 2015, EPSB Minutes

Approval of April 13, 2015, EPSB Minutes

Approval of May 4, 2015, EPSB Minutes

English as a Second Language, Grades P-12 Endorsement (Graduate Level), Union College

Vote: *Unanimous*

Educator Preparation Division Director Dr. Kim Walters-Parker recognized a representative from Union College whose program was approved by the Board.

Report of the Executive Director

Acting Executive Director Jimmy Adams recognized Ms. Bobbie Biby as the new program consultant for the Division of Professional Learning & Assessment. Ms. Biby recently worked for Grand Valley State University in Michigan as a professor. Her work at the university required her to be involved in assessments and the accreditation process.

Report from the Kentucky Department of Education

In addition to the report included in the Board folders, Dr. Cindy Parker updated the Board on the search criteria for the next Commissioner. She said the Kentucky Board of Education would review applications at its August meeting and anticipated the interview and hiring process to be approved by the end of June. Additionally, Dr. Parker said KDE submitted the state's equity plan on June 1 and posted it on the KDE website for feedback. She thanked the EPSB staff for providing input on the equity plan.

Report from the Council on Postsecondary Education

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

Strategic Plan Update

Acting Executive Director Adams said progress was made on two of the goals for the Strategic Plan. A more in-depth update was given as an Action Item later in the meeting.

KTIP/PGES Alignment Update

Professional Learning & Assessment Division Director Donna Brockman introduced Dr. Sharon Brennan, chair of the Kentucky Advisory Council on Internships (KACI), and Ms. Janet O'Connell, a KACI teacher representative. Ms. Brockman said a Train the Trainers meeting was held on May 20 with 43 KTIP trainers and regional coordinators in attendance. The meeting received positive feedback.

Dr. Sharon Brennan said the process of aligning KTIP and PGES was a two- year project. She said that training with fidelity and consistency was important to KACI. A state-wide pilot will take place next year and KACI will continue to collect data and make changes in response to feedback. She said that KTIP is a national model and should be complimented as Kentucky is the only state in the nation that has a model that has been adopted by teacher educator programs. Dr. Brennan commended EPSB staff for working diligently to carefully align KTIP and PGES.

Ms. Janet O'Connell said online homework was available for all committee members and feedback indicates it was very helpful. She said that all 8 universities have begun summer trainings across the state. Ms. O'Connell said the Board can be assured that the statewide pilot implementation next year can be met with confidence.

Dr. Mary John O'Hair commended KACI and EPSB staff for their hard work on this project.

Report of the Chair

Recognition of Out-Going Board Member

Chair Webb recognized Shannon Treece for her valuable service to the EPSB. Ms. Treece accepted a principal position in Florida for the next school year. Chair Webb said Ms. Treece

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did an excellent job representing administrators and said her passion for education is evident at EPSB meetings.

Update from the Regulation Rewrite Committee

Mr. Michael Head said the committee was scheduled to meet on June 7; however, due to one of the committee members being unavailable and some confusion on the meeting date, the meeting was cancelled. Board secretary Ashley Abshire will be sending a Doodle survey to reschedule the meeting. Mr. Head stated that he expected the committee to meet once more to develop a final initial draft for the full board to review at its August meeting.

Appointments

Masters Review Committee

Chair Webb appointed the following individuals to the Master's Review Committee: Jonda Tippins, James Neihof, Kathy Fields, David Miller, and Kim Brakmeier.

Program and Accreditation Review Committee

Chair Webb appointed Andrea Peach to the Program and Accreditation Review Committee.

Nominating Committee for Chair and Vice Chair

Chair Webb appointed the following Board members to the Nominating Committee for Chair and Vice Chair: Dr. Mary John O'Hair (chair), Ellen Blevins, and Sandy Sinclair-Curry.

Information/Discussion Items

16 KAR 2:110. Endorsement for Teachers for Gifted Education, Notice of Intent

Ms. Cindy Godsey reported on proposed amendments to 16 KAR 2:110. This regulation amendment will adopt the new certification form, CA-GP, and incorporate it by reference. This item will come back to the Board for final action at its August regular meeting.

16 KAR 2:140. Probationary Certificate for Teachers of Children, Birth to Primary, Notice of Intent

Ms. Godsey reported on proposed amendments to 16 KAR 2:140. This regulation amendment will adopt the new certification form, CA-BP, and incorporate it by reference. Additionally, this amendment will update language in Section 1 to align the definition of "qualified teacher" with all other emergency and probationary regulations. This amendment will also remove language that allowed individuals without a certificate or statement of eligibility to use the probationary route under 16 KAR 2:140. This regulation was originally enacted before the Option 6 alternative route program was developed and now individuals without certification should be enrolled in an Option 6 program. This item will come back to the Board for final action at its August regular meeting.

16 KAR 2:150. Probationary Certificate for Teachers of Engineering and Technology Education, Notice of Intent

Ms. Godsey reported on proposed amendments to 16 KAR 2:150. This regulation amendment will adopt the new certification form, CA-ET, and incorporate it by reference. The updated language will include updates to the Office of Career and Technical Education name as well as align program language to match other regulations. This amendment will also remove language that allowed individuals without a certificate or statement of eligibility to use the probationary

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route under 16 KAR 2:150. This regulation was originally enacted before the Option 6 alternative route program was developed and now individuals without certification should be enrolled in an Option 6 program. This item will come back to the Board for final action at its August regular meeting.

16 KAR 2:160. Probationary Certificate for Teachers of Exceptional Children, Notice of Intent

Ms. Godsey reported on proposed amendments to 16 KAR 2:160. This regulation amendment will adopt the new certification form, CA-I9, and incorporate it by reference. The updated language modified Section 3 to align the renewal requirements with all other probationary certificates to include KTIP if the teacher is a first year teacher. This item will come back to the Board for final action at its August regular meeting.

16 KAR 2:170. Probationary Certificate for Middle School Teachers, Notice of Intent

Ms. Godsey reported on proposed amendments to 16 KAR 2:170. This regulation amendment will adopt the new certification form, CA-MG, and incorporate it by reference. This item will come back to the Board for final action at its August regular meeting.

16 KAR 2:200. Probationary Certificate for Teachers for English as a Second Language, Notice of Intent

Ms. Godsey reported on proposed amendments to 16 KAR 2:200. This regulation amendment will adopt the new certification form, CA-EL, and incorporate it by reference. This item will come back to the Board for final action at its August regular meeting.

16 KAR 3:030. Professional Certificate for Directors and Assistant Directors of Pupil Personnel, Notice of Intent

Ms. Godsey reported on proposed amendments to 16 KAR 3:030. This regulation amendment will adopt the new certification form, CA-40, and incorporate it by reference. Additionally this amendment will update the name of the Educational Leadership Policy Standards: ISLLC 2008 documents to match the currently approved standards. This item will come back to the Board for final action at its August regular meeting.

16 KAR 3:040. Director of Special Education, Notice of Intent

Ms. Godsey reported on proposed amendments to 16 KAR 3:040. This regulation amendment will adopt the new certification form, CA-28, and incorporate it by reference, as well as remove previously incorporated by reference documents that are no longer a part of the current regulation. This item will come back to the Board for final action at its August regular meeting.

16 KAR 9:030. Professional Certificate for College Faculty: Secondary Education, Notice of Intent

Ms. Godsey reported on proposed amendments to 16 KAR 9:030. This regulation amendment will adopt the new certification form, CA-194, and incorporate it by reference. Additionally this amendment will remove the term “secondary education” to align the regulation with KRS 161.048 as it now allows this route to be used for all grades certification. This item will come back to the Board for final action at its August regular meeting.

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16 KAR 9:040. Part-Time Adjunct Instructor Certificate, Notice of Intent

Ms. Godsey reported on proposed amendments to 16 KAR 9:040. This regulation amendment will adopt the new certification form, CA-25, and incorporate it by reference. This item will come back to the Board for final action at its August regular meeting.

16 KAR 2:100. Junior Reserve Officers Training Corps Certification, Notice of Intent

Ms. Godsey reported that the proposed regulation amendment to 16 KAR 2:100 will identify the process by which the EPSB can grant a Junior Guard Instructor certification. Additionally language in the regulation has been updated to require applicants to complete a state and federal background check. This item will come back to the Board for final action at its August regular meeting.

Awarded Contracts

Acting Executive Director Adams reported on awarded KTIP contracts. He noted that funding for these contracts was increased from recent years to add training to align KTIP to PGES.

Action Items

Charter for Task Force to Study Policies to Review and Make Recommendations on Combating Inappropriate Student-Teachers Relationships

Acting Executive Director Adams said that Representative Regina Bunch requested that the EPSB charter a task force to study policies in order to review and make recommendations on combating inappropriate student-teacher relationships. Her request stems from data reported in the media that Kentucky had the second most inappropriate relationship allegations in the U.S. in 2013 and 2014. Mr. Adams suggested 14 specific organizations with one member each to serve on the task force. Appointments for this task force will be made at the August EPSB meeting. Dr. David Whaley asked for examples of outcomes from the task force. Mr. Adams said that he anticipated the task force would make recommendations to the districts, and the EPSB could work with KDE and possibly KSBA on those recommendations.

2015-018

Motion made by Ms. McMillen, seconded by Ms. Sandy Sinclair-Curry to approve the recommendation to create and charter a task force to study policies to review and make recommendations on combating inappropriate student-teacher relationships as presented.

Vote: *Unanimous*

Strategic Plan Revision

Acting Executive Director Adams reported that the Strategic Planning Committee met on May 13 to review and revise the strategic plan. The timelines in the plan were revised as well as the language in Goal 3 to remove CIITS.

2015-019

Motion made by Dr. Whaley, seconded by Ms. Shannon Treece, to approve the revised Strategic Plan as presented.

Vote: *Unanimous*

Approval of CAEP Standards

Dr. Walters-Parker gave an update on recent leadership changes to CAEP. Dr. Whaley asked if the timeline for CAEP was being followed. Dr. Walters-Parker said that on some matters the timeline was being followed very closely, but she said there is a delay on the advanced standards as previously reported to the Board at its March meeting. She said the new standards will be implemented as planned in fall 2016 with an understanding that implementation in some cases means a presentation of plans.

2015-020

Motion made by Mr. Robert King, seconded by Dr. Whaley, to adopt the Council for the Accreditation of Educator Preparation standards as the accreditation standards for all educator preparation providers accredited by the EPSB.

Vote: *Unanimous*

Charter for CAEP Partnership Agreement Task Force

Dr. Walters- Parker said a partnership agreement must be developed between the EPSB and CAEP to reflect a collaborative effort among Kentucky's educator preparation programs, the EPSB, and CAEP. She said that EPSB staff and Board members have previously determined that a CAEP Partnership Agreement Task Force would be formed immediately upon adoption of the CAEP standards.

2015-021

Motion made by Dr. Whaley, seconded by Ms. Laura Schneider, to approve the charter of the CAEP Partnership Agreement Task Force.

Vote: *Unanimous*

16 KAR 4:030. Out-of-State Preparation, Amendment, Final Action

Dr. Walters-Parker explained proposed amendments to 16 KAR 4:030. Dr. Whaley asked if this regulation changed the requirements for out-of-state online providers. Dr. Walters-Parker explained that a change was not currently being contemplated. She said there will be a time when an out-of-state intuition will decide to move to Kentucky and meet the requirements but it has not happened yet. She said that the regulation must address these types of providers in order to specify that the regulation requirements apply to them as well. President Bob King addressed the process for online providers to become licensed and operate in Kentucky.

2015-024

Motion made by Dr. Whaley, seconded by Ms. Brandy Beardsley, to approve proposed amendments to 16 KAR 4:030.

Vote: *Unanimous*

16 KAR 2:020. Occupation-based Career and Technical Education Certification, Amendment, Final Action

2015-023

Motion made by Ms. Schneider, seconded by Ms. Tolya Ellis, to approve proposed amendments to 16 KAR 2:020.

Vote: *Unanimous*

Waiver

16 KAR 7:010. Kentucky Teacher Internship Program

2015-024

Motion by Ms. McMillen, seconded by Ms. Sinclair-Curry, to accept the waiver that allows pilot districts to use tasks and scoring rubrics based on the Kentucky Framework for Teaching required in the Teacher Professional Growth and Effectiveness System (TPGES) in lieu of the current performance tasks and intern performance record (IPR) of KTIP identified in 16 KAR 7:010.

Vote: *Unanimous*

Alternative Route to Certification Applications

Ashley Ayer, Dance, All Grades

2015-025

Motion made by Ms. Beardsley, seconded by Ms. Treece, to approve the alternative route to certification application for Ms. Ashley Ayer.

Vote: *Unanimous*

Elizabeth Jones, Music, All Grades

2015-026

Motion made by Ms. Sinclair-Curry, seconded by Mr. King, to approve the alternative route to certification application for Ms. Jones.

Vote: *Unanimous*

Board Comments

Dr. Anthony Strong asked for an update on the process for the selection of the executive director. Dr. O’Hair said that the position was advertised in the outlets approved by the Board. The application deadline is June 30. The Education and Workforce Development Cabinet will be screening for qualified applicants and will get the qualified applicant information to the committee by July 15.

Ms. Laura Schneider asked if the portfolio in KTIP was still required or if it was adjusted to match the standards. Ms. Donna Brockman said the KTIP tasks were changed to sources of evidence. These sources of evidence are the same as what is used for the Professional Growth and Effectiveness System. Only one portfolio is required.

Discussion ensued on whether a summer EPSB retreat should be held. Board secretary Ashley Abshire will send a Doodle survey to check the availability of the Board members.

Motion made by Ms. Blevins, seconded by Ms. Sinclair-Curry, 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*

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

Vote: *Unanimous*

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

Brandy Beardsley, Ellen Blevins, Barbara Boyd, Tolya Ellis, Marie McMillen, Mary John O'Hair, Laura Schneider, Sandy Sinclair-Curry, Anthony Strong, Shannon Treece, Cassandra Webb, and David Whaley.

Attorneys present were Cassie Trueblood, Chelsea Fannin, Eric Ray, and Michael Head.

Initial Case Review

<u>Case Number</u>	<u>Decision</u>
150237	Dismissed
150217	Dismissed
150268	Admonish
150233	Admonish
150247	Defer for training
1503122	Dismissed
150251	Hear
1503140	Hear
1503136	Admonish
1503138	Admonish
1503112	Admonish
1503124	Hear
1503110	Hear
150239	Hear
1503114	Hear
1504153	Hear
1504195	Dismissed
1504155	Admonish
1412862	Admonish
150235	Hear
1502104	Hear
1503142	Hear
150288	Dismissed
1503134	Hear
150263	Hear
1503118	Hear
150253	Hear
1412843	Hear
150296	Admonish
1412860	Admonish
1504171	Admonish

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1412847	Hear
150259	Dismissed
150221	Defer
150255	Admonish
150270	Admonish
150261	Dismissed
1005274	Dismissed
1311832	Dismissed
1405299	Dismissed
1003152	Dismissed
07-0116	Dismissed
1411748	Dismissed
0906392	Dismissed
1408585	Hear
1408574	Hear
1408516	Dismissed
1408494	Dismissed

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
15300	Approve
15306	Approve
15119	Approve
15369	Approve
15406	Approve
15244	Deny
15216	Deny
15227	Deny
15325	Deny
15334	Approve
15361	Approve
15278	Approve
15301	Approve
15313	Approve
15333	Approve
15381	Approve
15346	Approve
15337	Approve
15335	Approve
15428	Approve
15424	Approve
15341	Approve
15415	Approve
15382	Approve
15413	Approve
15231	Approve
15308	Deny
15493	Defer

15319 Approve
15315 Approve

Agreed Orders

Case Number

Decision

130189 (Shawnda Pacheco)

Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher and for violating student confidentiality. As an educator, Respondent has a duty to not reveal confidential information about students except for professional purposes or as required by law. Respondent also has a duty to not subject students to embarrassment or disparagement. Respondent violated these duties by having a student write a letter to a newspaper which contained the disciplinary record of another student. The Board will tolerate no further acts of misconduct by Respondent.

Respondent has provided written proof that she has completed professional development trainings in the areas of FERPA Compliance, A Harassment Free Work Place, and Information Security.

Vote: *Unanimous (Ms. McMillan recused)*

1409671 (Steve Petro)

Accept Agreed Order suspending certificate number 201170910 from September 11, 2014, through September 17, 2014. 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, Third Floor, Frankfort, Kentucky 40601.

Respondent has provided written proof that he has completed a training course in Sexual Harassment and three (3) hours of Board-approved professional development/training in the area of Educator Ethics.

Vote: *Unanimous*

1205296 (Wanda Barrows)

Accept Agreed Order admonishing Respondent for grabbing a student by the arm and shaking him. As an educator, Respondent has a duty to treat all

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students with dignity and respect. An educator also has a duty to protect the health, safety, and emotional well-being of students. The Board will tolerate no further acts of misconduct by Respondent.

Vote: *Unanimous (Ms. Schneider recused)*

1311806 (Casey Shumate)

Accept Agreed Order admonishing Respondent for using inappropriate language with students and failing to appropriately manage classroom behavior and instruction. As a certified teaching professional, it is Respondent's duty to consistently maintain a positive and respectful learning environment for each and every student. Additionally, on or before August 1, 2015, Respondent shall submit written proof to the Board that he has completed the following: 1. Six (6) hours of professional development/training in classroom management, approved by the Board and at his own expense; 2. An additional six (6) hours of professional development/training in classroom management techniques for exceptional children; and 3. NEA Diversity Training, approved by the Board and at his own expense. Should Respondent fail to satisfy either of these conditions, certificate number 201129131 shall be suspended until the condition is met.

Vote: *Unanimous*

1303234 (Lauren Keepers)

Accept Agreed Order that states that Respondent voluntarily, knowingly, and intelligently surrenders Certificate Number 201137866, and agrees not to apply for, nor be issued a teaching, administrative or emergency 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 her certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

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1408577 (Doris Cooper)

Accept Agreed Order stating that Respondent is retired, and has no plans to return to the profession. If Respondent decides to return to the profession, she must first provide written proof to the Board that she has made full restitution to Bell County Public Schools for the questionable transactions. If Respondent fails to provide proof of restitution prior to accepting a certified position, Certificate Number 000041252 shall be automatically suspended until such proof is provided.

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*

1312868 (Shavanah Barnes)

Accept Agreed Order stating that upon acceptance of this agreement by the Board, Respondent shall not seek or accept any position of employment in Kentucky that requires a School Guidance Counselor Certificate. Additionally, upon the natural expiration of School Guidance Counselor Certificate Number 199902947 on June 30, 2019, Respondent shall neither apply for, nor be issued a School Guidance Counselor certificate in the Commonwealth of Kentucky at any time in the future. Should Respondent violate this agreement, School Guidance Counselor Certificate Number 199902947 shall be automatically suspended for its remainder and/or the application for certification shall be denied.

Additionally, Teaching Certificate Number 199902947 shall be subject to the following probationary conditions: 1. Respondent shall provide written proof to the Board that she has successfully completed twelve (12) hours of educator ethics professional development or training, with an emphasis on professionalism, as approved by the Board. Any expense incurred for said training shall be paid by Respondent. Respondent has provided written proof that she has completed twelve (12) hours of educator ethics training. 2. Respondent shall provide written proof to the Board if her disability benefits cease in the future, and that she has been evaluated by a

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Kentucky licensed or certified physician and is fit to return to the classroom, presents as capable of fulfilling her duties as an educator, is not a danger to herself or others, and is compliant with all treatment recommendations. Any expense incurred for said evaluation, treatment and/or reports shall be paid by Respondent.

If Respondent fails to satisfy either condition, Certificate Number 199902947 shall be automatically suspended until such condition is satisfied. 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*

050109 (Cara Sajko)

Accept Agreed Order dismissing case number 050109. In addition to any requirements for certificate renewal, Respondent shall provide written proof with her next application for certification that she has completed twelve (12) hours of professional development/training in the area of ethics, to be approved by the Board. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to provide proof of this condition, her certificate shall not be renewed until she provides proof that the condition has been met.

Vote: *Unanimous*

1411765 (Carrie Williams)

Accept Agreed Order stating that Respondent agrees to voluntarily surrender her Kentucky teaching certificate. Respondent shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future. Respondent shall surrender the original certificate and all copies of her certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

1311800 (Julia Howard)

Accept Agreed Order admonishing Respondent for failing to maintain the dignity and the integrity of the profession. As a teacher, Respondent is expected to be a role model for students and an example of good citizenship. No further acts of misconduct by Respondent will be tolerated by the Board. Certificate Number 000032536 shall be subject to the following probationary conditions:

1. Respondent shall provide written proof to the Board that she has received three (3) hours of ethics training, as approved by the Board, no later than May 1, 2016. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition by May 1, 2016, 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. By May 1, 2016, 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 and has successfully completed any and all treatment recommendations. If Respondent is not able to complete all treatment recommendations by May 1, 2016, she shall submit quarterly written progress reports from her chemical dependency counselor until such time as the counselor releases her from treatments. Any expense for the assessment, treatment and/or written reports shall be paid by Respondent.

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*

1405337 (David Schafer)

Accept Agreed Order admonishing Respondent is admonished by the Board for failing to maintain the dignity and integrity of the profession. Additionally, Certificate number 000066897 is subject to the following probationary condition

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from the date of acceptance of this order by the Board:

Respondent shall provide written proof to the Board that he has completed twelve (12) hours of professional development/training in the area of ethics, as approved by the Board, before August 15, 2015. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition before August 15, 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

Respondent shall not work in any K-12 public school in Kentucky for a two (2) year period from the date of this order. If Respondent violates this condition, his certificate shall be automatically suspended for two (2) years from the date of the discovery of his employment in a Kentucky public school.

Vote: *Unanimous*

1403205 (Jeri Debord)

Accept Agreed Order stating that Respondent hereby surrenders her 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 her certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

1411790 (Susan Botts)

Accept Agreed Order admonishing Respondent for failing to take reasonable measures to protect the health, safety, and emotional well-being of her students. A teacher must remain calm when dealing with students and may not place their hands on students outside the limits of their restraint training. Additionally, Certificate number 000008172 is subject to the following probationary condition from the date of acceptance of this order by the Board:

Respondent shall provide written proof to the Board that she has completed seven (7) hours of professional development/training in the area of anger management, as approved by the Board, before August 15, 2015. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition before August 15, 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

Respondent shall provide written proof to the Board that she has completed eight (8) hours of professional development/training in the area of ethics, as approved by the Board, before August 15, 2015. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition before August 15, 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

Vote: *Unanimous*

1403197 (John Devney)

Accept Agreed Order suspending Certificate Number 199702666 for a period of thirty (30) days, with credit for the twenty (20) day employment suspension he was given by his employer served on March 12-31, 2014. The remaining ten (10) days of the suspension shall be served from June 11, 2015 through June 20, 2015. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Upon reinstatement after the ten (10) day suspension period, Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of two (2) years.

1. By August 15, 2015, Respondent shall provide written proof to the Board that he has received twelve (12) hours of professional

development/training on the Professional code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense for this professional development/training in ethics shall be paid by Respondent.

2. Respondent shall continue meeting monthly with Michelle Gadberry, Director of Special Education (“DOSE”), or whoever the school designates he should meet with, until the two (2) year probation period expires or until the DOSE releases him from this requirement. Respondent shall submit a letter or email from the DOSE once a year as proof that he is in compliance with this requirement.

3. For the entirety of the probationary period, Respondent shall have no further disciplinary actions taken against him. “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.

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

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

Vote: *Unanimous*

CF141209 (Dennis Mays)

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

statement of eligibility or a temporary provisional certificate.

Additionally, prior to the issuance of a Kentucky teaching certificate, Respondent shall comply 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 on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Respondent shall pay any expense incurred.

2. Respondent shall submit written proof to the Board that he has completed twelve (12) hours of professional development or training on classroom management, as approved by the Board. Respondent shall pay any expense incurred. Furthermore, any and all certificates issued to Respondent shall be subject to the following probationary conditions:

1. Upon securing a certified position, Respondent shall furnish the school's principal or his immediate supervisor with a letter describing the circumstances that led to his termination from the Department of Community Based Services as a Social Services Clinician I. A copy of that letter shall be provided to the Board within fifteen (15) days of accepting the position. If Respondent fails to satisfy this condition, any and all certificates issued to Respondent shall be automatically suspended until such condition is satisfied.

2. Respondent shall not receive any discipline for conduct that places a child's safety at risk from any school district in which he is employed. If Respondent fails to satisfy this condition, any and all certificates issued to him or on his behalf 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 Petitioner agrees to amend the disciplinary action through arbitration, the new disciplinary action if a termination, suspension or public reprimand shall be considered a violation of this condition.

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

Vote: *Unanimous*

1302128 (Shelly Lewis)

Accept Agreed Order stating that Respondent voluntarily, knowingly, and intelligently surrenders Certificate Number 200221841, and agrees not to apply for, nor be issued, a teaching, administrative or emergency 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 her certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

1407473 (James Sullivan)

Accept Agreed Order admonishing Respondent for failing to exemplify behaviors, which maintain the dignity and integrity of the profession. Making unwanted sexual advances on a subordinate employee is sexual harassment and is unacceptable conduct. The Board reminds Respondent of his duty to accord just and equitable treatment to all members of the profession, and of his duty to safeguard the freedom to teach. The Board will not tolerate any further acts of misconduct by Respondent.

On or before May 1, 2016, Respondent shall provide written proof to the Board that he has successfully completed twelve (12) hours of professional development or training, on the Professional Code of Ethics for Kentucky Certified School Personnel, and sexual harassment awareness, as approved by the Board. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition by May 1, 2016, Teaching Certificate Number 200206686 shall be automatically suspended until such condition is satisfied.

Additionally, for a period of two (2) years, Respondent shall not seek or accept any position of employment in Kentucky that requires the use of his

Administrative Certificate, *Professional Certificate For Instructional Leadership- Principal, All Grades, Level 2*. If Respondent seeks or accepts a position in Kentucky that requires the use of his Administrative Certificate prior to June 8, 2017, then his Administrative Certificate shall be automatically suspended for its remainder. At the conclusion of the two (2) year certificate restriction period, Respondent shall be eligible to renew his Administrative Certificate.

Furthermore, Respondent shall not receive any disciplinary action for harassment and/or discrimination from any school district in which he is employed. Should Respondent fail to satisfy this condition, Certificate Number 200206686 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 he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1304253 (Holli Parys)

Accept Agreed Order suspending Certificate Number 201120652 for a period of forty-five (45) days. Respondent shall immediately surrender the original and all copies of her certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd floor, Frankfort, Kentucky 40601.

Upon reinstatement, Certificate Number 201120652 shall be subject to the following probationary conditions for a period of two (2) years:

1. By December 1 2015, Respondent shall provide written proof to the Board that she has complied with a comprehensive substance abuse assessment by a Kentucky licensed and/or certified chemical

dependency counselor, as approved by the Board, and has successfully completed any and all treatment recommendations. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition, Certificate Number 201120652 shall be automatically suspended until such condition is satisfied.

2. By May 1, 2016, Respondent shall provide written proof to the Board that she has completed professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition, Certificate Number 201120652 shall be automatically suspended until such condition is satisfied.

3. Respondent shall be subject 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, Certificate Number 201120652 shall be automatically suspended for a period of thirty (30) days and subject to additional sanctions by the Board pursuant to KRS 161.120.

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

Vote: *Unanimous*

1412825 (Donald Lawson)

Accept Agreed Order admonishing Respondent for exercising poor professional judgment and for failing to follow proper accounting procedures. As a certified educator in the Commonwealth of Kentucky, Respondent has a statutory obligation to competently perform his duties, which would include the timely completion of purchase orders, and the obtainment of prior approval of purchases. The Board reminds Respondent of his duty to exemplify behaviors, which maintain the dignity and integrity of the profession at all times. The

Board will not tolerate any further incidents of misconduct by Respondent.

Additionally, Certificate Number 000020225 shall be subject to the following probationary conditions for a period of five (5) years:

1. By May 1, 2016, Respondent shall provide written proof to the Board that he has completed twelve (12) hours of professional development or training on the Professional Code of Ethics for Kentucky Certified Personnel, as approved by the Board. Respondent shall pay any expense incurred. Should Respondent fail to satisfy this condition by May 1, 2016, Certificate Number 000020225 shall be automatically suspended until such condition is satisfied.

2. By May 1, 2016, Respondent shall provide written proof to the Board that he has completed twelve (12) hours of professional development or training on the "Accounting Procedures for Kentucky School Activity Funds" commonly known as Redbook, as approved by the Board. Respondent shall pay any expense incurred. Should Respondent fail to satisfy this condition by May 1, 2016, Certificate Number 000020225 shall be automatically suspended until such condition is satisfied.

1. During the probationary period, Respondent shall provide semi-annual reports, stating that he is in compliance with all proper accounting procedures. The reports shall be in the form of a letter from the employing district's finance officer, or other knowledgeable supervisor, and must be submitted by March 1st and October 1st of each year of the probationary period. Respondent shall pay any expense incurred. Should Respondent fail to satisfy this condition, Certificate Number 000020225 shall be automatically suspended until such condition is satisfied.

2. During the probationary period, Respondent shall not receive any disciplinary action involving school finance from any school district in which he is employed. Should Respondent fail to satisfy this condition, Certificate Number 000020225 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*

CF15199 (Karl Weihe)

Accept Agreed Order stating that Respondent shall be issued a Kentucky teaching certificate upon providing proof that he has met the academic and testing requirements necessary for issuance of a certificate, and has completed the following:

1. Respondent shall provide written proof to the Board that he has complied with a comprehensive alcohol/substance abuse assessment by a Kentucky licensed or certified chemical dependency counselor, as approved by the Board, and is compliant with all treatment recommendations. Respondent shall pay any expense incurred.

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. Respondent shall pay any expense incurred.

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

1. If Respondent’s chemical dependency counselor makes any treatment recommendations, Respondent shall comply with the treatment recommendations. Respondent shall submit quarterly written progress reports from his counselor to the Board until such time as the counselor releases him from treatment. Respondent shall pay any expense incurred. Failure to comply with this condition will result in Respondent’s certificate being automatically suspended until Respondent is in compliance.

2. Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. 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 current criminal record, as prepared by the Administrative Office of the Courts, to the Board with any application for renewal of his certification(s) and/or for additional certification(s). Respondent shall pay any expense incurred. Failure to comply with this condition will result in the denial of all applications for renewal and/or additional certification(s) submitted by Respondent or on his behalf.

Vote: *Unanimous*

1207397 (Leslie Soderquist)

Accept Agreed Order admonishing Respondent for exercising poor professional judgment and for failing to properly manage student behavior in her classroom. The Board acknowledges that students are going to misbehave and disrupt the classroom setting, and an educator should be allowed the discretion to interact with those students in a way that has proven effective in the past. However, the Board reminds Respondent that she has a duty to take reasonable measures to protect the health, safety, and emotional well-being of her students. Permitting a student to remain in a locker for an extended period of time, even under her supervision, is not an acceptable classroom management technique, as it may increase the likelihood of injury to the student.

Furthermore, Certificate Number 200102190 shall be subject to the following probationary conditions until August 13, 2016:

1. On or before August 13, 2016, Respondent shall provide written proof to the Board that she has completed nine (9) hours of professional development or training in the area of classroom management, 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 August 1, 2016, Certificate

Agenda Book

Number 200102190 shall be automatically suspended until such condition is satisfied.

2. On or before August 13, 2016, Respondent shall provide written proof to the Board that she has completed the Kentucky Department of Education's trainings entitled *Promoting Positive Behavior in Schools I & II*. Any expense required to satisfy this condition shall be paid by Respondent. Should Respondent fail to satisfy this condition by August 1, 2016, Certificate Number 200102190 shall be automatically suspended until such condition is satisfied.

3. Respondent shall not receive any disciplinary action for inappropriate classroom management from any school district in which she is employed during the probationary period. Should Respondent fail to satisfy this condition, Certificate Number 200102190 shall be automatically suspended for a period of three (3) days and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

1409689 (Doria Bugg)

Accept Agreed Order admonishing for exercising poor professional judgment and for impeding the proper implementation of KRS 160.345. The Board reminds Respondent that as an administrator, it is her responsibility to ensure proper procedures are being followed in her school at all times. Furthermore, as School Based Decision Making (SBDM) Council chair, Respondent has a responsibility to understand and follow the SBDM Council policies of her district and her school. The Board will not tolerate any further incidents of misconduct by Respondent.

Upon acceptance of this agreement by the Board, Respondent agrees not to accept any position of employment in Kentucky that requires the use of her administrative certificates, *Professional Certificate for Instructional Leadership Supervisor Of Instruction, Level 2; Professional Certificate For Instructional Leadership-Principal, All Grades, Level 2; Approval For Elementary Education Program Consultant*, through their natural expiration. Furthermore, Respondent agrees not to

apply for, nor be issued an administrative certificate in the Commonwealth of Kentucky at any time in the future.

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.

“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*

1409687 (Mark Emerson)

Accept Agreed Order suspending Certificate Number 201129040 for a period of two (2) days. Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

Upon reinstatement, Certificate Number 201129040 shall be subject to the following probationary conditions for a period of five (5) years:

1. On or before May 1, 2016, Respondent shall submit written proof to the Board that he has completed twelve (12) hours of professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense incurred shall be paid by Respondent. Should Respondent fail to satisfy this condition by May 1, 2016, Certificate Number 201129040 shall be automatically suspended until such condition is satisfied.
2. Respondent shall not receive any disciplinary action involving neglect of duty from any school district in which he is employed. Should Respondent fail to satisfy this condition during the

probationary period, Certificate Number 201129040 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*

1311762 (Andrew Jury)

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

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

1. Respondent shall provide written proof to the Board that he has complied with a comprehensive alcohol abuse assessment by a Kentucky licensed or certified chemical dependency counselor, as approved by the Board, and is compliant with all treatment recommendations. Any expense required to satisfy this condition shall be paid by Respondent.

1. Respondent shall provide 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 to satisfy this condition shall be paid by Respondent.

2. Respondent shall provide, in addition to any criminal background reports required for certification, a copy of his criminal background check from the Administrative Office of the Court dated within the month of the date his application is submitted to the Board. Respondent shall have no further criminal convictions, other than minor traffic violations. A violation is not considered a minor traffic violation if it is a violation for which jail time may be imposed.

Failure to meet any of these conditions will result in the denial of Respondent's application for certification. Respondent is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

14019 (Caleb Cornett)

Accept Agreed Order stating that Respondent shall neither apply for nor be issued any type of teaching certificate, including emergency, probationary, and temporary provisional certificates, until he has completed all the educational and assessment requirements necessary for teacher certification and issuance of a Statement of Eligibility in Kentucky. The Board shall not approve Respondent for any type of alternative certification option.

Prior to being issued a Kentucky Teaching Certificate, 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. If Respondent fails to satisfy this condition, the Board shall automatically deny any application submitted by Respondent or on his behalf.

Vote: *Unanimous*

1211639 (Eric Good)

Accept Agreed Order stating that Certificate Number 200002024 shall be revoked for a period of three (3) years. Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky during the revocation

period. 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.

In addition to the standard requirements of the application process, before Respondent shall be reissued any certificate, he must comply with the following:

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

3. Respondent shall provide written proof to the Board that he has successfully completed twelve (12) hours of ethics training, as approved by the Board. Any expense incurred for said training shall be paid by Respondent.

Should Respondent fail to satisfy any or all of these conditions, the Board shall automatically deny any application submitted by Respondent or on his behalf.

Upon reissuance, Certificate Number 200002024 shall be on a permanent probation and subject to the following probationary condition:

During the probationary period, Respondent shall not receive any disciplinary action for viewing pornography on school equipment and/or inappropriate relationship with students from any school district in which he is employed. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. If Respondent fails to satisfy this condition, Certificate Number 200002024 shall be automatically permanently revoked.

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*

CF14871 (Stephen Grubbs)

Accept Agreed Order stating that Respondent shall not apply for nor be issued any emergency teaching certificate, including emergency substitute certification. Respondent shall be issued a temporary provisional or statement of eligibility upon providing proof that he has met the academic and testing requirements necessary for issuance of a certificate and upon providing proof that he has complied with the following conditions:

1. Respondent shall undergo a comprehensive substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall provide 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.
2. Respondent shall provide written evidence to the Board that he 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.

Vote: *Unanimous*

1205273 (Barton Short)

Accept Agreed Order stating that Certificate Number 201103944 is revoked for a period of five (5) years beginning on January 28, 2012. Respondent shall neither apply for nor be issued a teaching certificate in the Commonwealth of Kentucky during the revocation period. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

In addition to the standard requirements of the application process, before Respondent shall be reissued any certificate, he must comply with the following:

1. Respondent shall provide written proof to the Board that he has been assessed by a state certified mental health counselor approved by the Board and is competent to fulfill his duties as an educator. Respondent shall provide proof that he has complied with any treatment recommendations proposed by the mental health counselor and shall continue to provide treatment records to the Board until he has been released from treatment by the counselor. 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 he has successfully completed twelve (12) hours of training on the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense incurred for said training shall be paid by Respondent.

Should Respondent fail to satisfy any of these conditions, the Board shall automatically deny any application submitted by Respondent or on his behalf.

Upon reissuance of Certificate Number 201103944, Respondent shall be on permanent probation and subject to the following probationary conditions:

1. During the probationary period, Respondent shall not receive any disciplinary action involving conduct unbecoming a teacher from any school district in which he is employed. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the

Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. If Respondent fails to satisfy this condition, Certificate Number 201103944 shall be automatically suspended for a period of one (1) year and subject to additional sanctions by the Board pursuant to KRS 161.120.

2. During the probationary period, Respondent shall receive no disciplinary action involving teacher/student boundaries from any school district in which he is employed. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. If Respondent fails to satisfy this condition, Certificate Number 201103944 shall be automatically permanently revoked.

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*

120155 (Heather Holbrook)

Accept Agreed Order admonishing Respondent for subjecting students to embarrassment and disparagement. An educator has a duty to treat all students with dignity and respect. Respondent failed in this duty when she called a student "Buckwheat" and projected a picture of the character for all the class to see. The Board will tolerate no further acts of misconduct by Respondent.

Respondent has provided written proof that she has completed ten (10) hours of training in classroom management dealing with equitable treatment of all students.

Vote: *Unanimous*

KTIP APPEAL

Case Name

McAfee v. EPSB

Decision

Accept Agreed Order overturning the Appeals Committee's decision and nullifying McAfee's internship.

Vote: *Unanimous*

Recommended Order

Case Name

Decision

CF 12646 (Tammie Larkins)

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

Vote: *Unanimous*

Motion made by Cassandra Webb to authorize Michael Head to draft the Final Order on behalf of the Board.

Vote: *Unanimous*

Board attorney Michael Head recommended to the Board that it take action to suspend the policy of "flagging" the certificates of teachers who have pending cases until the disciplinary regulation is amended and until there is some resolution of the litigation against the Board regarding flagging. According to him, he made his recommendation because the plaintiffs in the litigation wanted to know that the procedure of flagging was halted, and the Board was going to write procedures into the disciplinary regulation for flagging. He said there may be some question if what was written into the regulation would be acceptable or legal, but until that process was finalized and the regulation was written, he advised there was no need for anything to happen in the litigation and it would be an added cost to the Board.

Ms. Sinclair-Curry stated that she does not like flagging on cases that become dismissed. She also said she had concerns with removing the flag before the regulation was completed. She said she would rather make changes to the process at the same time the regulation was written.

Dr. Anthony Strong said that from the superintendent perspective, it was helpful to have the availability to know if a teacher has a pending case. He said that perhaps the flag was placed online too early, but he said he did not want to make changes until the regulation has been written.

Ms. Brandy Beardsley said she was concerned with the Board making a decision now and then writing the regulation. She wanted to wait for the Board to write the regulation first.

Chair Cassandra Webb said she had concerns regarding the flagging process. She said it was her understanding from the information received by Mr. Head that superintendents were receiving information from flagged pending cases that they could not find out through an open record request. Staff attorney Cassie Trueblood stated that staff does not release information about a case itself. She said an open record request for a pending case would be denied based on the fact that there was a pending investigation, and a reason must be included with the denial of open records. Mr. Head advised that the problem with open records law was if information was released to an individual who was not entitled to that information; unless the Board waived the right to withhold that information, then the Board must give that information to everyone. He further informed that the fact that the Board only allowed superintendents to view the flags on

the certificates of teachers who have pending litigation, not final action, was, in his legal opinion, troublesome because if the public were to request that information then the Board could not rely upon the privilege to withhold that information since it had already released it. He said the Board cannot release records to someone and not to everyone. He said the open record request exemption, which is the right to withhold information about pending litigation, is there for the Board's use, but if the Board waives the exemption, it loses it. Ms. Cassie Trueblood said staff does not waive the exemption to open records law, because staff does not release actual records about what is reported until after the case is closed.

Ms. Marie McMillen said that she did not want teachers penalized before they know they have a case.

Motion made by Ms. Marie McMillen to suspend flagging until the Board takes final action on a case.

Discussion ensued on the definition of final action on cases. Ms. McMillen said final action would be after the Board voted to train, hear, admonishment, etc. Mr. Head said final action would be when there was final resolution of a case. He said final resolution of a case occurred when there was nothing else left to be done with a case – the case has been dismissed, an agreed order has been signed, etc. Ms. Trueblood said that the flag (notification icon) is currently removed in the EPSB online system when there was final action on a case. The flag is still showing while a case is pending a hearing or deferred for training.

Dr. Strong said he would like the flag placed when the Board agreed to hear a case or defer for training.

Mr. Head said the difficulty in understanding what final action meant was that he is using a legal definition and the Board is trying to address something less formally. He said the legal term the Board members are trying to use is “until there is a final resolution of the case” which means that everything currently being flagged would no longer be flagged.

Ms. Trueblood suggested that she heard Ms. McMillen and Dr. Strong state that they wanted a notification to appear in the online system after the Board voted to hear a case or voted to defer for training.

Mr. Head expressed his opinion that the Board “should never put a scarlet A” on someone's certificate, like the current flagging process, until there has been a completion of the adjudication.

Ms. Beardsley said she felt that changing the process now and then changing it again once the regulation was addressed would confuse stakeholders. Mr. Head said that the only individuals that would complain about the change are the individuals that find out their certificate has been flagged, those that are affected by the present policy. Ms. Trueblood said that currently there are superintendents that have been able to see the notification icon in the system so the Board should consider that as well.

Ms. Barbara Boyd said she agreed with Mr. Head that flagging should cease until the disciplinary regulation was amended. She asked to serve on the Regulation Rewrite Committee and Chair Webb appointed her to the committee.

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Dr. Whaley said he sits on the Western Kentucky Education Cooperative that represents 23 superintendents. He shared concerns from them with hiring individuals that may have pending actions about which they have no knowledge.

Ms. McMillen withdrew her motion.

2015-027

Motion made by Ms. Laura Schneider, seconded by Ms. Boyd, to suspend flagging until the Board amends the disciplinary regulation for all pending cases.

Mr. Head clarified that what he heard Ms. Schneider's motion to state was that there will be no flagging as it is currently done for pending litigation. He said in legal parlance this means that until there is some final resolution of a case, there is nothing put on the certificate of the teacher who is the subject of that pending litigation.

Vote: *Yes- (Laura Schneider, Cassandra Webb, Shannon Treece, Mary John O'Hair, Barbara Boyd, Marie McMillen, Tolya Ellis)*

No- (Sandy Sinclair-Curry, Anthony Strong, Brandy Beardsley, David Whaley, Ellen Blevins)

Motion passed by a vote of 7 to 5.

Motion made by Ms. Treece, seconded by Ms. Schneider, to adjourn the meeting.

Vote: *Unanimous*

Meeting adjourned at 1:00 p.m.

Next Meeting: **August 10, 2015**
 9:00 AM
 EPSB Board Room
 Frankfort, Kentucky

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Consent Item B

Action Item:

University of Kentucky: Visual Impairments Grades P-12 (Graduate Level)

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.048

16 KAR 5:010

Applicable Goal:

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

Issue:

Should the EPSB approve the following educator preparation program additions?

UNIVERSITY OF KENTUCKY

7.0 EXCEPTIONAL CHILDREN

Visual Impairments Grades P-12 Advanced (Certificate Only)

Visual Impairments Grades P-12 Advanced (5th Year non-degree for Rank II)

Visual Impairments Grades P-12 Advanced (6th Year non-degree for Rank I)

Background:

The advanced Visual Impairments (VI) P-12 programs at UK will train currently certified teachers to provide educational services to students who are blind or visually impaired and may result in a rank change for the qualified candidate. The Itinerant Teachers of the Visually Impaired (TVIs) provide modifications to instructional practice so the student can fully access the core curriculum in a local classroom. The TVI also provides instruction in the Expanded Core Curriculum by teaching skills such as braille, use of low vision devices, use of assistive technology, organizational skills, social interaction, sensory efficient skills, and recreation and leisure. These programs require 33 credit hours of VI specific coursework, and up to an additional 12 credit hours in special education. Candidates have a current teaching certificate and may hold a probationary teacher certificate in visual impairments while enrolled in the program. Admission requirements include meeting all the Code of Ethics requirements and evidence of successful teaching experiences. Program completion requires passing grades in all coursework with an overall GPA of 3.0, successful practicum and culminating field experiences, and demonstration of attainment of the Kentucky Teacher Standards at the advanced level.

Candidates complete a minimum of 120 hours of field experiences (practicum) followed by a 40 day culminating field experience under a certified TVI. Over 75 hours of field experiences

Agenda Book

(practicum) occurs in conjunction with the Kentucky School for the Blind and Kentucky Deaf-Blind Project summer program that provides instruction to students from across the state. The completion of practicum experiences will be tracked through UK's online electronic portfolio system.

The VI programs are hybrid, including both face-to-face and online courses. Attention is given to providing candidates with the opportunity to develop skills in research-based practice that encourages growth as reflective leaders focusing on improved learning for individuals with visual impairments. Candidates will leave the program actively engaged in the field of blindness and visual impairment where they will have resources for continued professional growth. Continuous assessment involves a developmental approach in which candidates are expected to progress toward mastery of standards as they practice and gain competence with increasingly complex pedagogical and professional tasks. A wide range of data items, including review of academic proficiency, review of teaching experience and assessments, and certification examination results are reviewed by program faculty, audited and monitored at the unit level.

Groups/Persons Consulted:

Content Area Program Reviewers
Reading Committee

Alternative Actions:

1. Approve the proposed Visual Impairments Grades P-12 Advanced preparation program additions.
2. Do not approve the proposed Visual Impairments Grades P-12 Advanced preparation program additions.

Committee Recommendation:

Alternative 1

Rationale:

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

Contact Person:

Ms. Allison Bell, Program Consultant II
Division of Educator Preparation
(502) 564-4606
E-mail: Allison.Bell@ky.gov

Date:

August 10, 2015

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Consent Item C

Action Item:

Bellarmine University: Planned Program for Rank I (Ed.D. with Superintendent certification)

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.048; KRS 161.030

16 KAR 5:010; 16 KAR 3:010

Applicable Goal:

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

Issue:

Should the EPSB approve the following educator preparation program addition?

BELLARMINE UNIVERSITY

9.0 CONTINUING EDUCATION

Planned Program for Rank I (Ed.D. with Superintendent certification)

Background:

The Doctorate in Education (Ed.D.) program at Bellarmine University is derived from two pre-existing programs: the Superintendent certification program and the existing Ph.D. program. The Ed.D. program combines existing courses and assessments of the superintendent program with the Ph.D. coursework that focuses on preparing candidates with advanced knowledge in educational research practices and challenges of children living in high poverty contexts and an understanding of innovative education solutions. The Ed.D. program is designed for candidates who have successfully completed an Ed.S. degree with a superintendent certification. The program consists of 36 hours beyond the Ed.S. that challenges candidates to assess and reflect continuously upon leadership components; coaching and mentoring; research methods of data collection and analysis to examine assessment practices and data to impact instruction; strategies for closing the achievement gap through instructional best practices; the need to address equity and diversity in school; and collaborative efforts to include colleagues, parents, and the community in comprehensive efforts for school improvement. The program provides the means for continuous assessment through field and face-to-face classroom experiences. Admission criteria meet the requirements of 16 KAR 3:010 (regulation for School Superintendent certification).

KRS 161.028 and KRS 161.030 provide for the EPSB to establish curricula for educator preparation programs in Kentucky and approve such programs at institutions of higher education.

Agenda Book

The Division of Educator Preparation, Superintendent Program Reviewers, and the Reading Committee evaluated the program review documents submitted for approval against performance-based program certification guidelines established by the EPSB. This program proposal meets all the requirements set forth by the EPSB. The supporting documents for the proposal (program review documents which include the executive summary and letter of support) are available on the secured website.

Groups/Persons Consulted:

Superintendent Program Reviewers
Reading Committee

Alternative Actions:

1. Approve the proposed Planned Program for Rank I (Ed.D.) preparation program addition.
2. Do not approve the proposed Planned Program for Rank I (Ed.D.) preparation program addition.

Committee Recommendation:

Alternative 1

Rationale:

The proposed educator preparation programs follow the appropriate regulations (16 KAR 5:010 and 16 KAR 3:010) outlining requirements for program approval and Superintendent certification as established by the EPSB.

Contact Person:

Ms. Allison Bell, Program Consultant II
Division of Educator Preparation
(502) 564-4606
E-mail: Allison.Bell@ky.gov

Date:

August 10, 2015

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item A

Information Item:

To inform the EPSB about contracts which were signed by the executive director since the prior EPSB board meeting

Applicable Statutes and Regulation:

KRS 161.028 (1) (v) (d)
KRS 161.017 (3)

Applicable Goal:

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

Background:

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

The following new contracts were completed and signed by the executive director after approval was given by the board at a previous meeting.

Vendor Name	Services	Service Period	Contract Amount
Erik Carlsen-Landy	Prosecuting Attorney	July 1, 2015 through June 30, 2016	\$56,120.33
Danville Independent Schools	Project Coordinator for the NBPTS SEED/KYNT3 Grant	July 1, 2015 through June 30, 2016	\$120,289.92
Teachers21	SEED Grant work	June 1, 20145 through June 30, 2016	\$27,580.00
KY Virtual Campus	Online training modules for teachers & administrators	July 1, 2015 through June 30, 2016	\$21,000.00
Center for Teaching Quality	SEED Grant Work	July 1, 2014 through June 30, 2015	\$3,750.00

Contact Person:

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

Date:

August 10, 2015

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item B

Information Item:

A report on the end of year financial performance of the agency's programs and operations through June 30, 2015

Applicable Statutes and Regulation:

KRS 161.017 (1) (c)

Applicable Goal:

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

Background:

The state fiscal year begins July 1 and ends June 30. This end of year report of expenditures through June 30, 2015.

Groups/Persons Consulted

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

Contact Person:

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

Date:

August 10, 2015

Agenda Book

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item C

Information Item:

Notice of Intent to Amend 16 KAR 1:030

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

Applicable Statutes and Regulation:

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

Applicable Goal:

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

Background:

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

Contact Person:

Mr. Jimmy Adams

Acting Executive Director

(502) 564-4606

Email: Jimmy.Adams@ky.gov

Date:

August 10, 2015

Agenda Book

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item A

Action Item:

Amend 16 KAR 2:110
Endorsement for Teachers of Gifted Education

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.030; KRS 161.120
16 KAR 2:110

Applicable Goal:

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

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

Background:

16 KAR 2:110 is the regulation that governs the Endorsement for Teachers of Gifted Education as well as the probationary certificate for that endorsement. The TC-GP is incorporated by reference. The proposed amendment to 16 KAR 2:110 includes the adoption of the new certification form, CA-GP. 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-GP form also contains the newly adopted character and fitness questionnaire.

Alternative Actions:

1. Approve the amendment to 16 KAR 2:110.
2. Modify and approve the amendment to 16 KAR 2:110.
3. Do not approve the amendment to 16 KAR 2:110.

Staff Recommendation:

Alternative Action 1

Contact Person:

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

Date:

August 10, 2015

Agenda Book

1 **16 KAR 2:110. Endorsement for teachers for gifted education.**

2 RELATES TO: KRS 161.020, 161.028, 161.030, 161.052

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 approved by the Education Professional Standards Board. KRS 161.052 requires that
8 all persons employed as a teacher for gifted education hold an appropriate certificate endorsement
9 for gifted education. This administrative regulation establishes a preparation-certification program
10 for teachers for gifted education.

11 Section 1. Definitions. (1) "Qualified teacher" means a teacher who holds the appropriate
12 certification as a teacher for gifted education unless the superintendent of the employing school
13 district has documented evidence that the teacher is unsuitable for appointment.

14 (2) "Teacher for gifted education" means a teacher who works:

15 (a) Directly with identified gifted pupils, in addition to the regularly assigned classroom
16 teacher; or

17 (b) For at least one-half (1/2) of the regular school day in a classroom made up only of
18 properly identified gifted students.

19 Section 2. (1) A certificate endorsement as teacher for gifted education shall be issued in
20 accordance with the pertinent Kentucky statutes and the Education Professional Standards Board
21 administrative regulations to an applicant who:

22 (a) Holds a certificate valid for classroom teaching at the elementary school level, the
23 middle grade level, or the high school level;

1 (b) Successful completion of the Kentucky Teacher Internship Program established in 16
2 KAR 7:010. Teachers who have successfully completed the Kentucky Teacher Internship
3 Program prior to issuance of the initial probationary certificate or who are not required to
4 complete the internship program under the requirements for out-of-state teachers established in
5 KRS 161.030(5) shall not be required to complete the internship program again while serving on
6 the probationary certificate; [~~1. Has completed at least one (1) year of successful teaching~~
7 experience; or
8 — 2. For an individual certified after January 1, 1985, has successfully completed the
9 beginning teacher internship;] and

10 (c) Has completed the appropriate program of preparation for the certificate endorsement
11 established in this administrative regulation at a teacher education institution approved under the
12 standards and procedures included in 16 KAR 5:010.

13 (2) The endorsement as teacher for gifted education shall be valid for grades K-12.
14 Assignment to a full-time self-contained gifted education class shall be restricted to the level of the
15 base certificate. The endorsement shall have the same duration as the base certificate.

16 (3) All persons employed as teachers for gifted education shall hold an appropriate
17 certificate endorsement for gifted education, except a teacher:

- 18 (a) Identified in Section 3 of this administrative regulation; or
- 19 (b) Certified on or before July 1, 1984, in accordance with KRS 161.052.

20 Section 3. (1) If a qualified teacher is not available for the position of teacher for gifted
21 education as attested by the local school superintendent, the superintendent, on behalf of the
22 local board of education, may request a probationary endorsement for teaching gifted education
23 for a teacher who:

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- 1 (a) Has a bachelor's degree;
- 2 (b) Has a valid Kentucky teaching certificate;
- 3 (c) Has been admitted to the preparation program for the endorsement for teachers for
- 4 gifted education; and
- 5 (d) Is currently enrolled in graduate studies related to the education profession.

6 (2) The request for the probationary endorsement shall be submitted on Form CA-GP ~~{TC-~~
7 ~~GP}~~ to the Education Professional Standards Board for each teacher for gifted education requiring
8 the probationary endorsement.

9 (3)(a) The probationary endorsement for teachers for gifted education shall be valid for a
10 period of two (2) years from the initial request.

11 (b) A teacher receiving this probationary endorsement shall complete the required
12 curriculum for recommendation for the endorsement for teacher for gifted education issued under
13 Section 2 of this administrative regulation within the two (2) year validity of the probationary
14 endorsement.

15 (c) The probationary endorsement shall not be renewed.

16 Section 4. Incorporation by Reference. (1) Form CA-GP, 08/15 ~~{TC-GP, 6/2000}~~, is
17 incorporated by reference.

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

Date

Cassandra Webb, Chairperson
Education Professional Standards Board

DRAFT

Agenda Book

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Wednesday, September 30, 2015 at 9:00 a.m. at the offices of the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Conference Room A, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until 11:59 p.m. on September 30, 2015. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact person: Jimmy Adams, Acting Executive Director
Education Professional Standards Board
100 Airport Road, Third Floor
Frankfort, KY 40601
(502) 564-4606
FAX: (502) 564-7080

DRAFT

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation #: 16 KAR 2:110

Contact Person: Jimmy Adams, Acting Executive Director

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the qualifications for endorsement for teachers for gifted education and implements the testing and internship requirements of KRS 161.030.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to make applicants aware of the qualifications and procedures for the endorsement for teachers for gifted education.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation delineates the qualifications for the Endorsement for teachers for gifted education and establishes the procedures by which an applicant may apply for teaching endorsement in gifted education.

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

(a) How the amendment will change this existing administrative regulation: This amendment requires applicants for gifted education endorsement to use Form CA-GP. The CA-GP contains character and fitness questions adopted by the Education Professional Standards Board in 2013.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to clarify the applicant has successfully completed the Kentucky Teacher Internship Program (KTIP) established by 16 KAR 7:010 and modernize the current application process and to ensure that Education Professional Standards Board collects all the necessary information to make an informed decision regarding each applicant's qualifications and fitness to work with students.

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(c) How the amendment conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board.

(d) How the amendment will assist in the effective administration of the statutes: This amendment will ensure that the Education Professional Standards Board collects all the necessary information to make an informed decision of each applicant's qualifications and fitness to work with students.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: 173 Kentucky school districts, all applicants seeking certification, and students.

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

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Applicants must have successfully completed the Kentucky Teacher Internship Program (KTIP) established by 16 KAR 7:010 and will have to submit to the Education Professional Standards Board the appropriate application form as well as the required national and state criminal background checks when applying for emergency certification. School districts and students will not have to take any actions to comply with this regulation.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): No costs result from this regulation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Applicants will have modernized forms that increase clarity. School districts and students will benefit from increased scrutiny by the Education Professional Standards Board of each applicant's qualifications and fitness to work with students.

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

(a) Initially: None

(b) On a continuing basis: None

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

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

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

(9) TIERING: Is tiering applied? (Explain why or why not) No, tiering will not apply since all applicants for certification are required to meet the same requirements.

DRAFT

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 16 KAR 2:110
Contact Person: Jimmy Adams
Phone number: 502-564-4606

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

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 161.020, 161.028 and KRS 161.030.

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

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? There should be no additional revenues created by this amendment.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? There should be no additional revenues created by this amendment.

(c) How much will it cost to administer this program for the first year? There are no costs associated with the administration of this program.

(d) How much will it cost to administer this program for subsequent years? There are no costs associated with the administration of this program.

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

Revenues (+/-):

Expenditures (+/-):

Other Explanation: This is not a fee generating or a cost incurring program but, rather, establishes the qualifications and procedures for obtaining certification

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

CA-GP, 08/15

The Application for Probationary Gifted Education Endorsement (**CA-GP, 08/15**) is the two (2) page application form utilized by any Gifted Education educator applying for Kentucky educator endorsement required to obtain employment in any Kentucky public school.

The form incorporated by reference is so incorporated pursuant to:

KRS 161.020, which states that no person shall be eligible to hold the position of superintendent, principal, teacher, supervisor, director of pupil personnel, or other public school position for which certificates may be issued, or receive salary for services rendered in the position, unless he or she holds a certificate of legal qualifications for the position, issued by the Education Professional Standards Board.

161.028 is the authorizing statute for the Education Professional Standards Board and (1)(a) specifies that it establish the standards and requirements for obtaining and maintaining a teaching certificate.

161.030 states that the certification of all teachers and other school personnel, in public schools only, is vested in the Education Professional Standards Board. All certificates authorized under KRS 161.010 to 161.126 shall be issued in accordance with the administrative regulations of the Education Professional Standards Board.

DRAFT

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item B

Action Item:

Amend 16 KAR 2:140
Probationary Certificate for Teachers of Children, Birth to Primary

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.030; KRS 161.120
16 KAR 2:140

Applicable Goal:

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

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

Background:

16 KAR 2:140 is the regulation that governs the Probationary Certificate for Teachers of Children, Birth to Primary. The TC-BP is incorporated by reference. The proposed amendment to 16 KAR 2:140 includes the adoption of the new certification form, CA-BP, as well as updated language. 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 updated language modifies Section 1 to align the definition of “qualified teacher” with all other emergency and probationary regulations. It also removes the language that allowed individuals without a certificate or statement of eligibility to use the probationary route under 16 KAR 2:140. This regulation was originally enacted before the Option 6 alternative route program was developed and now individuals without certification should be going through an Option 6 program. The proposed CA-BP form also contains the newly adopted character and fitness questionnaire.

Alternative Actions:

1. Approve the amendment to 16 KAR 2:140.
2. Modify and approve the amendment to 16 KAR 2:140.
3. Do not approve the amendment to 16 KAR 2:140.

Staff Recommendation:

Alternative Action 1

Contact Person:

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

Agenda Book

Date:

August 10, 2015

1 **16 KAR 2:140. Probationary certificate for teachers of children, birth to primary.**

2 RELATES TO: KRS 157.3175, 161.020, 161.030

3 STATUTORY AUTHORITY: KRS 161.028, 161.030

4 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020 and 161.030 require
5 that a teacher and other professional school personnel hold a certificate of legal qualification for
6 the respective position to be issued upon completion of a program of preparation prescribed by
7 the Education Professional Standards Board. KRS 161.028(1)(a) requires the Education
8 Professional Standards Board to establish the standards for obtaining and maintaining a teaching
9 certificate. KRS 161.028(1)(b) requires that a teacher education institution be approved for
10 offering the preparation program corresponding to a particular certificate on the basis of
11 standards and procedures established by the Education Professional Standards Board. KRS
12 161.028(1)(f) requires the Education Professional Standards Board to issue and renew any
13 certificate. This administrative regulation establishes a plan for recruiting qualified individuals
14 into positions for teachers of children ages birth to primary age.

15 Section 1. Definition. "Qualified teacher" means a teacher who holds an interdisciplinary
16 early childhood education certificate or who has received an approval identified in 16 KAR
17 2:040, Section 5 unless the superintendent of the employing school district has documented
18 evidence that the teacher is unsuitable for appointment.

19 Section 2. If a qualified teacher is not available for the position as teacher of children
20 birth to primary age, as attested by the local school superintendent, the superintendent, on behalf
21 of the local board of education, may request a one (1) year probationary interdisciplinary early
22 childhood education certificate be issued as provided in this administrative regulation.

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1 (1) A prerequisite for a one (1) year probationary interdisciplinary early childhood
2 education certificate for teaching children, birth to primary age, shall be:

3 (a) A certificate or statement of eligibility in kindergarten or elementary special
4 education; or

5 (b) ~~{A baccalaureate or advanced degree in early childhood education, early childhood
6 special education, or child development with:~~

7 ~~—— 1. A cumulative minimum grade point average of 2.50 on a 4.00 scale; or~~

8 ~~—— 2. A minimum grade point average of 3.00 on a 4.00 scale on the last sixty (60) hours of
9 credit completed, including undergraduate and graduate coursework; or~~

10 ~~—— (e) A certificate in another area, if the applicant has had one (1) year of teaching children
11 birth through age five (5) years.~~

12 (2) The applicant shall have:

13 (a) Enrolled in an approved preparation program for certification in interdisciplinary
14 early childhood education established in 16 KAR 2:040; and

15 (b) Completed a minimum of nine (9) semester hours of credit in the development of
16 children below primary age or in special education.

17 3) The requirements established in subsection (2) of this section shall be verified by
18 submission of a curriculum contract completed by the teacher education institution with an
19 approved interdisciplinary early childhood education preparation program.

20 (4) The applicant shall complete twelve (12) clock hours of training established by the
21 Kentucky Department of Education prior to employment.

22 (5) The applicant shall complete an additional six (6) clock hours of training established
23 by the Kentucky Department of Education within the first three (3) months of employment.

1 (6) To apply for the probationary interdisciplinary early childhood education certificate,
2 the applicant shall submit a completed Form CA-BP ~~{TC-BP}~~ to the Education Professional
3 Standards Board.

4 Section 3. Requirements for Renewal of a Probationary Interdisciplinary Early Childhood
5 Education Certificate. (1) The first renewal of the probationary interdisciplinary early childhood
6 education certificate shall be for one (1) year based upon successful completion of the following
7 requirements:

8 (a) Evidence of employment in a Kentucky school district or nonpublic school as a
9 teacher of children ages birth to primary;

10 (b) Completion of at least six (6) semester hours or its equivalent from the approved
11 interdisciplinary early childhood education preparation program as indicated on the teacher's
12 curriculum contract; and

13 (c) Successful completion of the Kentucky Teacher Internship Program established in 16
14 KAR 7:010. A teacher who has successfully completed the Kentucky Teacher Internship
15 Program prior to issuance of the initial probationary certificate or who is not required to
16 complete the internship program under the requirements for out-of-state teachers established in
17 KRS 161.030(5) shall not be required to complete the internship program again while serving on
18 the probationary certificate.

19 (2)(a) Subsequent one (1) year renewals of the probationary interdisciplinary early
20 childhood education certificate shall require at least six (6) semester hours or its equivalent of
21 additional credit from the approved interdisciplinary early childhood education preparation
22 program as indicated on the teacher's curriculum contract.

1 (b) The total validity period of the probationary certificate for interdisciplinary early
2 education shall not exceed three (3) years in compliance with the No Child Left Behind Act of
3 2001, 20 U.S.C. 7801(23) and 34 C.F.R. 200.56.

4 (3) Upon successful completion of all program requirements for the approved
5 interdisciplinary early childhood education preparation program established in 16 KAR 2:040,
6 including successful completion of all required assessments established in 16 KAR 6:010, a
7 professional certificate for interdisciplinary early childhood education, birth to primary, valid for
8 five (5) years shall be issued.

9 (4) Program requirements for completion of the interdisciplinary early childhood
10 education preparation program while serving on the probationary certificate established in this
11 administrative regulation shall not include student teaching.

12 Section 4. Incorporation by Reference. (1) Form CA-BP, 08/15 [~~TC-BP, rev. 10/02~~],
13 Education Professional Standards Board, is incorporated by reference.

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

DRAFT

Date

Cassandra Webb, Chairperson
Education Professional Standards Board

DRAFT

Agenda Book

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Wednesday, September 30, 2015 at 9:00 a.m. at the offices of the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Conference Room A, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until 11:59 p.m. on September 30, 2015. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact person: Jimmy Adams, Acting Executive Director
Education Professional Standards Board
100 Airport Road, Third Floor
Frankfort, KY 40601
(502) 564-4606
FAX: (502) 564-7080

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation #: 16 KAR 2:140

Contact Person: Jimmy Adams, Acting Executive Director

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the qualifications for teachers of Interdisciplinary Early Childhood Education (IECE).

(b) The necessity of this administrative regulation: This administrative regulation is necessary to make applicants aware of the qualifications and procedures for Interdisciplinary Early Childhood Education (IECE) certification.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation delineates the qualifications for Interdisciplinary Early Childhood Education (IECE) certification and establishes the procedures by which an applicant may apply for teaching certification in Interdisciplinary Early Childhood Education (IECE).

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

(a) How the amendment will change this existing administrative regulation: This amendment aligns the definition of “qualified teacher” with all other emergency and probationary regulations. It requires applicants for Interdisciplinary Early Childhood Education (IECE) Birth to Primary certification to use form CA-BP. The CA-BP contains character and fitness questions adopted by the Education Professional Standards Board in 2013.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to modernize the current application process and to ensure that Education Professional Standards Board collects all the necessary information to make an informed decision regarding each applicant’s qualifications and fitness to work with students.

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(c) How the amendment conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board.

(d) How the amendment will assist in the effective administration of the statutes: This amendment will ensure that the Education Professional Standards Board collects all the necessary information to make an informed decision of each applicant's qualifications and fitness to work with students.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: 173 Kentucky school districts, all applicants seeking certification, and students.

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

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Applicants will have to submit to the Education Professional Standards Board the appropriate application form. School districts and students will not have to take any actions to comply with this regulation.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There should be no additional cost.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Applicants will have modernized forms that increase clarity. School districts and students will benefit from increased scrutiny by the Education Professional Standards Board of each applicant's qualifications and fitness to work with students.

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

(a) Initially: None

(b) On a continuing basis: None

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

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

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

(9) TIERING: Is tiering applied? (Explain why or why not) No, tiering will not apply since all applicants for certification are required to meet the same requirements.

DRAFT

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 16 KAR 2:140
Contact Person: Jimmy Adams
Phone number: 502-564-4606

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

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 161.020, 161.028 and KRS 161.030.

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

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? There should be no additional revenues created by this amendment.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? There should be no additional revenues created by this amendment.

(c) How much will it cost to administer this program for the first year? There are no costs associated with the administration of this program.

(d) How much will it cost to administer this program for subsequent years? There are no costs associated with the administration of this program.

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

Revenues (+/-):

Expenditures (+/-):

Other Explanation: This is not a fee generating or a cost incurring program but, rather, establishes the qualifications and procedures for obtaining certification.

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SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

CA-BP, 08/15

The Request for one-year certification for teachers of Interdisciplinary Early Childhood Education (IECE) Birth to Primary application form (**CA-BP, 08/15**) is the three (3) page application form utilized by any Interdisciplinary Early Childhood Education (IECE) educator applying for Kentucky educator certification required to obtain employment in any Kentucky public school.

The form incorporated by reference is so incorporated pursuant to:

KRS 161.020, which states that no person shall be eligible to hold the position of superintendent, principal, teacher, supervisor, director of pupil personnel, or other public school position for which certificates may be issued, or receive salary for services rendered in the position, unless he or she holds a certificate of legal qualifications for the position, issued by the Education Professional Standards Board.

161.028 is the authorizing statute for the Education Professional Standards Board and (1)(a) specifies that it establish the standards and requirements for obtaining and maintaining a teaching certificate.

161.030 states that the certification of all teachers and other school personnel, in public schools only, is vested in the Education Professional Standards Board. All certificates authorized under KRS 161.010 to 161.126 shall be issued in accordance with the administrative regulations of the Education Professional Standards Board.

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**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item C

Action Item:

Amend 16 KAR 2:150. Probationary Certificate for Teachers of Engineering and Technology Education

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.030; KRS 161.120
16 KAR 2:150

Applicable Goal:

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

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

Background:

16 KAR 2:150 is the regulation that governs the Probationary Certificate for Teachers of Engineering and Technology Education. The TC-ET is incorporated by reference. The proposed amendment to 16 KAR 2:150 includes the adoption of the new certification form, CA-ET, as well as updated language. 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 updated language includes updates to the Office of Career and Technical Education name as well as aligning program language to match other regulations. It also removes the language that allowed individuals without a certificate or statement of eligibility to use the probationary route under 16 KAR 2:150. This regulation was originally enacted before the Option 6 alternative route program was developed and now individuals without certification should be going through an Option 6 program. The proposed CA-ET form also contains the newly adopted character and fitness questionnaire.

Alternative Actions:

1. Approve the amendment to 16 KAR 2:150.
2. Modify and approve the amendment to 16 KAR 2:150.
3. Do not approve the amendment to 16 KAR 2:150.

Staff Recommendation:

Alternative Action 1

Contact Person:

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

Agenda Book

Date:

August 10, 2015

1 **16 KAR 2:150. Probationary certificate for teachers of engineering and technology**
2 **education.**

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

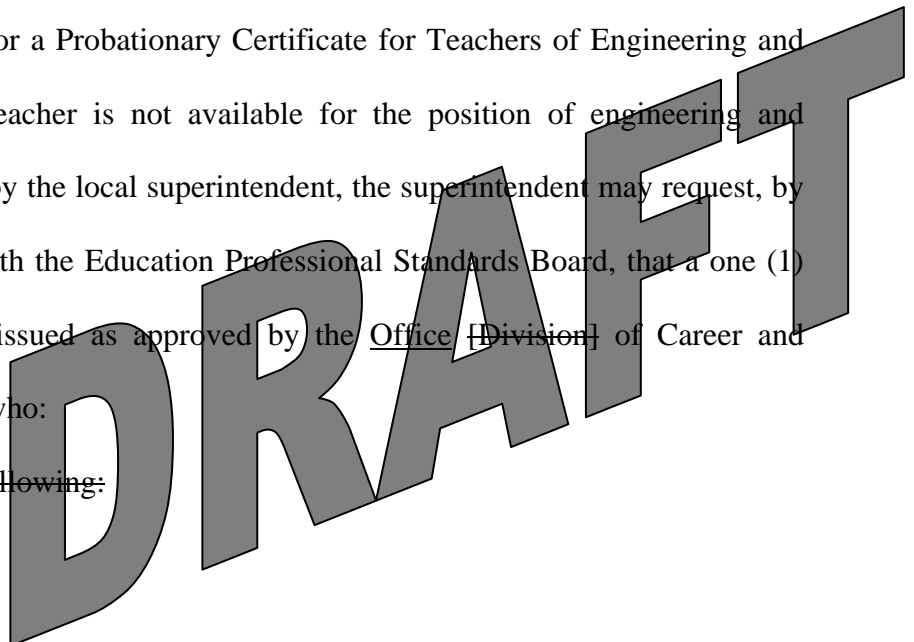
4 STATUTORY AUTHORITY: KRS 161.028(1)(a), (c), 161.030

5 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020 and 161.030 require
6 that a teacher and other professional school personnel hold a certificate of legal qualification for
7 their respective positions to be issued upon completion of a program of preparation prescribed by
8 the Education Professional Standards Board. Pursuant to KRS 161.028, a teacher education
9 institution is required to be approved for offering the preparation program corresponding to a
10 particular certificate on the basis of standards and procedures established by the Education
11 Professional Standards Board. This administrative regulation establishes a plan for recruiting
12 certified classroom teachers into positions for teachers of engineering and technology.

13 Section 1. Definition. "Qualified teacher" means a teacher who holds certification as an
14 engineering and technology teacher unless the superintendent of the employing school district
15 has documented evidence that the teacher is unsuitable for appointment.

16 Section 2. Requirements for a Probationary Certificate for Teachers of Engineering and
17 Technology. (1) If a qualified teacher is not available for the position of engineering and
18 technology teacher as attested to by the local superintendent, the superintendent may request, by
19 filing a Form CA-ET [~~TC-ET~~] with the Education Professional Standards Board, that a one (1)
20 year probationary certificate be issued as approved by the Office [~~Division~~] of Career and
21 Technical Education to a teacher who:

22 (a) Holds ~~one (1) of the following:~~



1 ~~1.] a valid classroom teaching certificate for teaching in the middle school or secondary~~
2 ~~school; {or~~

3 ~~2. A bachelor's degree in a related area of concentration or major approved by Division of~~
4 ~~Career and Technical Education engineering and technology consultant and a designated~~
5 ~~university teacher educator;}~~

6 (b)1. Has a cumulative grade point average of 2.5 on a 4.0 scale; or

7 2. Has a grade point average of 3.0 on a 4.0 scale on the last sixty (60) hours of credit
8 completed, including undergraduate and graduate coursework;

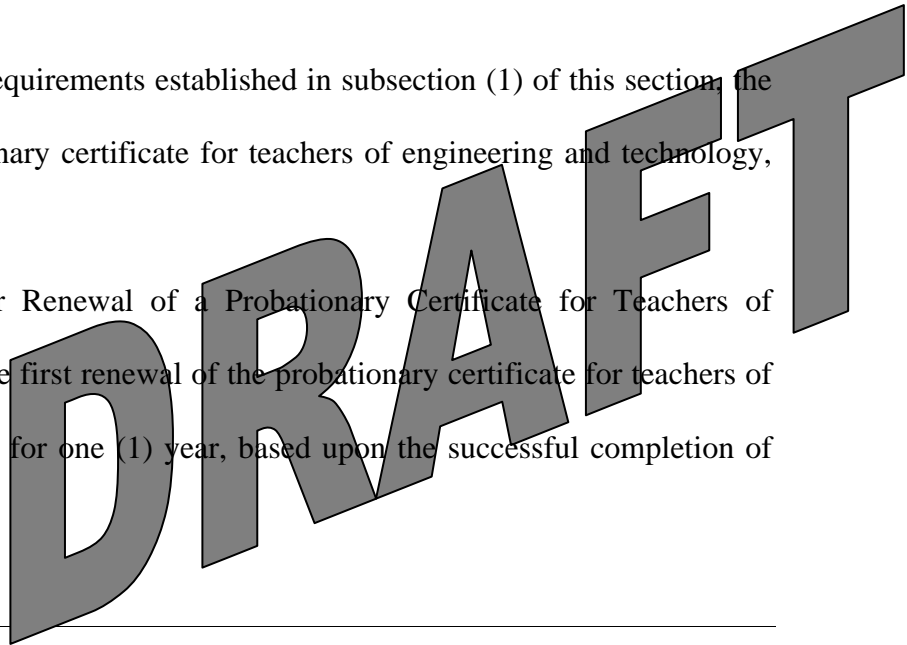
9 (c) Meets the minimum standards for admission to an educator ~~{a teacher}~~ education
10 preparation program at an approved institution of higher education;

11 (d) Has enrolled in an approved educator preparation program ~~[Develops a continuous~~
12 ~~plan for curriculum completion with an approved institution]~~ for engineering and technology;
13 and

14 (e) Documents 1000 clock hours or six (6) months of full-time employment of work
15 related experience or other exceptional life experience related to teaching engineering and
16 technology.

17 (2) Upon completion of all requirements established in subsection (1) of this section, the
18 candidate shall be issued a probationary certificate for teachers of engineering and technology,
19 valid for one (1) year.

20 Section 3. Requirements for Renewal of a Probationary Certificate for Teachers of
21 Engineering and Technology. (1) The first renewal of the probationary certificate for teachers of
22 engineering and technology shall be for one (1) year, based upon the successful completion of
23 the following requirements:



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- 1 (a) Evidence of employment by a participating district;
- 2 (b) Completion of eighteen (18) clock hours of orientation and management training
- 3 provided through the technology education new teacher institute, within the first six (6) weeks of
- 4 employment;
- 5 (c) Completion of at least six (6) semester hours toward the completion of the educator
- 6 preparation program in which the applicant is enrolled; ~~[from the continuous curriculum plan;]~~
- 7 and

8 (d) Successful completion of the internship program required by KRS 161.030 and 16

9 KAR 7:010.

10 (2) The probationary certificate may be renewed a maximum of two (2) times and shall

11 require at the time of application proof of the completion of at least six (6) hours of additional

12 credit from the preapproved continuous curriculum plan.

13 (3) Upon successful completion of all requirements for an approved teacher preparation

14 program, including successful completion of all required assessments identified in 16 KAR

15 6:010, a professional certificate for engineering and technology shall be issued valid for five (5)

16 years.

17 Section 4. Upon recommendation by the teacher education institution, teaching

18 experience performed in a full-time position requiring certification for engineering and

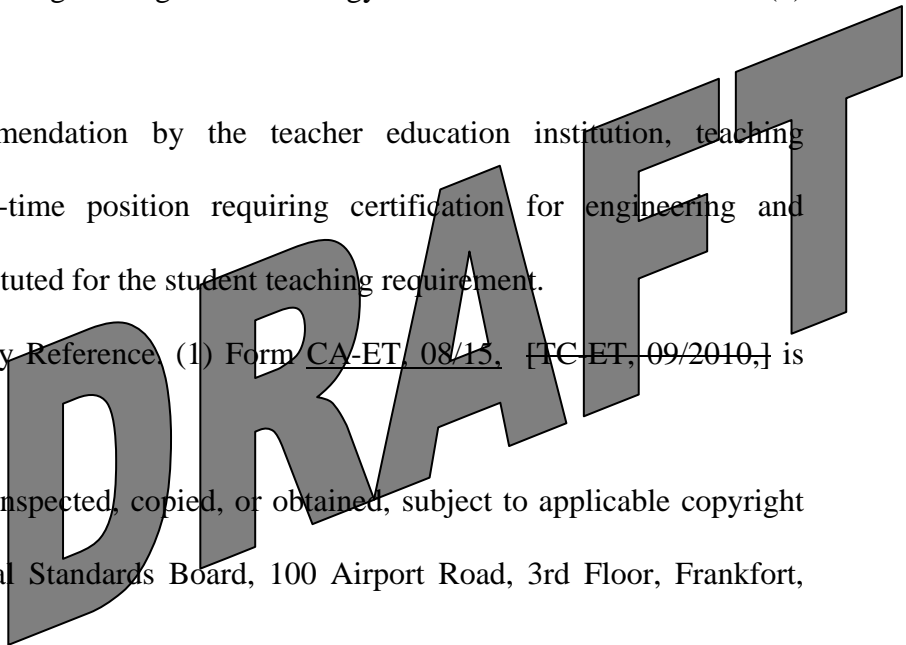
19 technology teachers shall be substituted for the student teaching requirement.

20 Section 5. Incorporation by Reference. (1) Form CA-ET, 08/15, ~~[TC-ET, 09/2010,]~~ is

21 incorporated by reference.

22 (2) This material may be inspected, copied, or obtained, subject to applicable copyright

23 law, at the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort,



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1 Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

DRAFT

Date

Cassandra Webb, Chairperson
Education Professional Standards Board

DRAFT

Agenda Book

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Wednesday, September 30, 2015 at 9:00 a.m. at the offices of the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Conference Room A, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until 11:59 p.m. on September 30, 2015. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact person: Jimmy Adams, Acting Executive Director
Education Professional Standards Board
100 Airport Road, Third Floor
Frankfort, KY 40601
(502) 564-4606
FAX: (502) 564-7080

DRAFT

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation #: 16 KAR 2:150

Contact Person: Jimmy Adams, Acting Executive Director

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the qualifications for teachers of engineering and technology teacher and implements the testing and internship requirements of KRS 161.030.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to make applicants aware of the qualifications and procedures for engineering and technology teacher certification.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation delineates the qualifications for engineering and technology certification and establishes the procedures by which an applicant may apply for teaching engineering and technology certification.

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

(a) How the amendment will change this existing administrative regulation: This amendment requires applicants for engineering and technology certification to use Form CA-ET. The CA-ET contains character and fitness questions adopted by the Education Professional Standards Board in 2013. The amendment also requires initial certification applicants to submit a national and state background check with their applications. Additionally, amendment updates references to the Office of Career and Technical Education and corrects outdated or incorrect language in the regulation.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to modernize the current application process and to ensure that Education Professional

Standards Board collects all the necessary information to make an informed decision regarding each applicant's qualifications and fitness to work with students.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board.

(d) How the amendment will assist in the effective administration of the statutes: This amendment will ensure that the Education Professional Standards Board collects all the necessary information to make an informed decision of each applicant's qualifications and fitness to work with students.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: 173 Kentucky school districts, all applicants seeking certification, and students.

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

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Applicants will have to submit to the Education Professional Standards Board the appropriate application form as well as the required national and state criminal background checks when applying for emergency certification. School districts and students will not have to take any actions to comply with this regulation.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There may be an additional cost to applicants to obtain the required background check.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Applicants will have modernized forms that increase clarity. School districts and students will benefit from increased scrutiny by the Education Professional Standards Board of each applicant's qualifications and fitness to work with students.

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

(a) Initially: None

(b) On a continuing basis: None

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

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

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

(9) TIERING: Is tiering applied? (Explain why or why not) No, tiering will not apply since all applicants for certification are required to meet the same requirements.

DRAFT

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 16 KAR 2:150
Contact Person: Jimmy Adams
Phone number: 502-564-4606

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

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. 161.020, 161.028, 161.030

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

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? There should be no additional revenues created by this amendment.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? There should be no additional revenues created by this amendment.

(c) How much will it cost to administer this program for the first year? There are no costs associated with the administration of this program.

(d) How much will it cost to administer this program for subsequent years? There are no costs associated with the administration of this program.

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

Revenues (+/-):

Expenditures (+/-):

Other Explanation: This is not a fee generating or a cost incurring program but, rather, establishes the qualifications and procedures for obtaining certification.

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

CA-ET, 08/15

The Application for One Year Certification for Engineering and Technology Teachers (**CA-ET, 08/15**) is the three (3) page application form utilized by any engineering and technology education teacher applying for Kentucky educator certification required to obtain employment in any Kentucky public school.

The form incorporated by reference is so incorporated pursuant to:

KRS 161.020, which states that no person shall be eligible to hold the position of superintendent, principal, teacher, supervisor, director of pupil personnel, or other public school position for which certificates may be issued, or receive salary for services rendered in the position, unless he or she holds a certificate of legal qualifications for the position, issued by the Education Professional Standards Board.

161.028 is the authorizing statute for the Education Professional Standards Board and (1)(a) specifies that it establish the standards and requirements for obtaining and maintaining a teaching certificate.

161.030 states that the certification of all teachers and other school personnel, in public schools only, is vested in the Education Professional Standards Board. All certificates authorized under KRS 161.010 to 161.126 shall be issued in accordance with the administrative regulations of the Education Professional Standards Board.

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**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item D

Action Item:

Amend 16 KAR 2:160. Probationary Certificate for Teachers of Exceptional Children

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.030; KRS 161.120
16 KAR 2:160

Applicable Goal:

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

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

Background:

16 KAR 2:160 is the regulation that governs the Probationary Certificate for Teachers of Exceptional Children. The TC-19 is incorporated by reference. The proposed amendment to 16 KAR 2:160 includes the adoption of the new certification form, CA-19 as well as updated language. 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 updated language modifies Section 4 to align the renewal requirements with all other probationary certificates to include KTIP if the teacher is a first year teacher. The proposed CA-19 form also contains the newly adopted character and fitness questionnaire.

Alternative Actions:

1. Approve the amendment to 16 KAR 2:160.
2. Modify and approve the amendment to 16 KAR 2:160.
3. Do not approve the amendment to 16 KAR 2:160.

Staff Recommendation:

Alternative Action 1

Contact Person:

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

Date:

August 10, 2015

Agenda Book

16 KAR 2:160. Probationary certificate for teachers of exceptional children.

RELATES TO: KRS 161.020, 161.028, 161.030

STATUTORY AUTHORITY: KRS 161.028, 161.030

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

require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board. This administrative regulation establishes a plan for recruiting certified classroom teachers into positions for teachers of exceptional children.

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

Section 2. If a qualified teacher is not available for the position of teacher of exceptional children as attested by the local school superintendent, the superintendent, on behalf of the local board of education, may request a one (1) year probationary certificate be issued as provided in this administrative regulation.

(1)(a)1. A valid classroom certificate or an internship statement of eligibility for grades K-4, 1-8, P-5, 5-9, or 5-8 shall be a prerequisite for a one (1) year probationary certificate for learning and behavior disorders, grades P-12; for hearing impaired, grades P-12; and for visually impaired, grades P-12.

2. The applicant shall have enrolled in an educator [a] preparation program in the certification area for which application is being made, and shall have completed a minimum

preparation of nine (9) semester hours of credit from the special education component of the approved curriculum.

(b)1. A valid classroom teaching certificate or an internship statement of eligibility for grades 7-12, 8-12, all grades, or 9-12 shall be a prerequisite for a one (1) year probationary certificate for learning and behavior disorders, grades P-12; for the endorsement for learning and behavior disorders, grades 8-12; for hearing impaired, grades P-12; and for visually impaired, grades P-12.

2. The applicant shall have enrolled in an educator [a] preparation program in the certification area for which application is being made, and shall have completed three (3) semester hours in the teaching of reading and a minimum preparation of nine (9) semester hours of credit from the special education component of the approved curriculum.

(c)1. A valid classroom teaching certificate or an internship statement of eligibility for grades K-4, 1-8, 5-8, 7-12, P-5, 5-9, 8-12, all grades, or 9-12 shall be a prerequisite for a one (1) year probationary certificate for teaching the moderately and severely disabled, grades P-12.

2. The applicant shall have enrolled in an educator [a] preparation program for teaching the moderately and severely disabled and shall have completed nine (9) semester hours of credit from the special education component of the approved curriculum for teaching the moderately and severely disabled.

(d)1. A certificate for teaching exceptional children, including interdisciplinary early childhood education, shall be a prerequisite for a one (1) year probationary certificate for teaching learning and behavior disorders, grades P-12; the endorsement for learning and behavior disorders, grades 8-12; hearing impaired, grades P-12; visually impaired, grades P-12; or moderately and severely disabled, grades P-12.

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2. The applicant shall have enrolled in an educator [a] preparation program in the certification area for which application is being made, and shall have completed a minimum preparation of nine (9) semester hours of credit from the special education component of the approved curriculum.

(2) The applicant shall complete twelve (12) clock hours of training as required by the Office of Special Instructional Services.

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

(b) If the applicant is unable to attend either the fall conference or the spring conference, the applicant shall complete an additional six (6) clock hours of training conducted or approved by the Kentucky Department of Education, Division of Learning [Exceptional Children] Services. The applicant shall contact the Division of Learning [Exceptional Children] Services to schedule the training. The training shall be similar to the topics covered at the conferences.

(4) The Kentucky Department of Education shall report to the Education Professional Standards Board those probationary certified teachers of exceptional children who have not completed the training requirements established in subsections (2) and (3) of this section by June 30 of each year for the preceding school year.

(5) Application for a probationary certificate for a teacher of exceptional children shall be made on Form CA-19 [TC-19]

Section 3. The probationary certificate for teachers of exceptional children may be renewed a maximum of two (2) times and shall require at the time of application, proof of the completion of a minimum of six (6) semester hours of additional credit from the special education component to be completed by September 1 of the year of expiration.

Section 4. Requirements for Renewal of a Probationary Certificate for teachers of exceptional children. (1) The first renewal of the probationary certificate for teachers of exceptional children shall be for one (1) year based upon successful completion of the following requirements:

(a) Evidence of employment in a Kentucky school district or nonpublic school as a teacher of exceptional children in the area indicated on the initial probationary certificate;

(b) Completion of at least six (6) semester hours or its equivalent toward the completion of the approved exceptional children educator preparation program and

(c) Successful completion of the Kentucky Teacher Internship Program established in 16 KAR 7:010. Teachers who have successfully completed the Kentucky Teacher Internship Program prior to issuance of the initial probationary certificate or who are not required to complete the internship program under the requirements for out-of-state teachers established in KRS 161.030(5) shall not be required to complete the internship program again while serving on the probationary certificate.

(2)(a) Subsequent one (1) year renewal of the probationary certificate for teachers of exceptional children shall require at least six (6) semester hours or its equivalent of additional credit toward completion of the approved exceptional children educator preparation program.

(b) The probationary certificate for teachers of exceptional children may be renewed for a maximum of two (2) times after the initial issuance.

(3) Upon successful completion of all program requirements for the approved exceptional children educator preparation program, including successful completion of all required assessments established in 16 KAR 6:010, a professional certificate for teaching middle school established in 16 KAR 2:010 and valid for five (5) years shall be issued.

(4) Program requirements for completion of the exceptional children educator preparation program while serving on the probationary certificate for middle school teachers shall not include student teaching.

~~[Upon recommendation by the teacher education institution, teaching experience performed in a full time position requiring certification for teachers of exceptional children shall be substituted for the special education portion of the student teaching requirement.]~~

~~Section 5. [An applicant holding a classroom teaching certificate who is recruited into a position for teachers of exceptional children under this administrative regulation shall complete the assessment requirements identified in 16 KAR 2:010 and 16 KAR 6:010 for teaching exceptional children, grades primary through twelve (12).~~

~~Section 6.] Incorporation by Reference. (1) "Form CA-19", 08/15, ["Form TC 19", revised 7/2001,] 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 a.m. to 4:30 p.m.

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Date

Cassandra Webb, Chairperson
Education Professional Standards Board

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PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Wednesday, September 30, 2015 at 9:00 a.m. at the offices of the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Conference Room A, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until 11:59 p.m. on September 30, 2015. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact person: Jimmy Adams, Acting Executive Director
Education Professional Standards Board
100 Airport Road, Third Floor
Frankfort, KY 40601
(502) 564-4606
FAX:(502)564-7080

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation #: 16 KAR 2:160

Contact Person: Jimmy Adams, Acting Executive Director

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the qualifications for the probationary certificate for teachers of exceptional children and implements the testing and internship requirements of KRS 161.030.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to make applicants aware of the qualifications and procedures for the probationary certificate for teachers of exceptional children

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation delineates the qualifications for the probationary certificate for teachers of exceptional children and establishes the procedures by which an applicant may apply for teaching certification of exceptional children.

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

(a) How the amendment will change this existing administrative regulation: This amendment requires applicants for exceptional children certification to use Form CA-19. The CA-19 contains character and fitness questions adopted by the Education Professional Standards Board in 2013. Additionally, amendment updates references to the Kentucky Department of Education Division of Exceptional Children Services to the Division of Learning Services and corrects outdated or incorrect language in the regulation.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to modernize the current application process and to ensure that Education Professional

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Standards Board collects all the necessary information to make an informed decision regarding each applicant's qualifications and fitness to work with students.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board.

(d) How the amendment will assist in the effective administration of the statutes: This amendment will ensure that the Education Professional Standards Board collects all the necessary information to make an informed decision of each applicant's qualifications and fitness to work with students.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: 173 Kentucky school districts, all applicants seeking certification, and students.

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

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Applicants will have to submit to the Education Professional Standards Board the appropriate application form as well as the required national and state criminal background checks when applying for emergency certification. School districts and students will not have to take any actions to comply with this regulation.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There may be an additional cost to applicants to obtain the required background check.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Applicants will have modernized forms that increase clarity. School districts and students will benefit from increased scrutiny by the Education Professional Standards Board of each applicant's qualifications and fitness to work with students.

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

(a) Initially: None

(b) On a continuing basis: None

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

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

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

(9) TIERING: Is tiering applied? (Explain why or why not) No, tiering will not apply since all applicants for certification are required to meet the same requirements.

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FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 16 KAR 2:160

Contact Person: Jimmy Adams

Phone number: 502-564-4606

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

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 161.020, 161.028 and KRS 161.030.

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

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? There should be no additional revenues created by this amendment.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? There should be no additional revenues created by this amendment.

(c) How much will it cost to administer this program for the first year? There are no costs associated with the administration of this program.

(d) How much will it cost to administer this program for subsequent years? There are no costs associated with the administration of this program.

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

Revenues (+/-):

Expenditures (+/-):

Other Explanation: This is not a fee generating or a cost incurring program but, rather, establishes the qualifications and procedures for obtaining certification.

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

CA-19, 08/15

The Application for One –Year Certification for Teachers of Exceptional Children (**CA-19, 08/15**) is the three (3) page application form utilized by any exceptional children educator applying for Kentucky educator certification required to obtain employment in any Kentucky public school.

The form incorporated by reference is so incorporated pursuant to:

KRS 161.020, which states that no person shall be eligible to hold the position of superintendent, principal, teacher, supervisor, director of pupil personnel, or other public school position for which certificates may be issued, or receive salary for services rendered in the position, unless he or she holds a certificate of legal qualifications for the position, issued by the Education Professional Standards Board.

161.028 is the authorizing statute for the Education Professional Standards Board and (1)(a) specifies that it establish the standards and requirements for obtaining and maintaining a teaching certificate.

161.030 states that the certification of all teachers and other school personnel, in public schools only, is vested in the Education Professional Standards Board. All certificates authorized under KRS 161.010 to 161.126 shall be issued in accordance with the administrative regulations of the Education Professional Standards Board.

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**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item E

Action Item:

Amend 16 KAR 2:170. Probationary Certificate for Middle School Teachers

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.030; KRS 161.120

16 KAR 2:170

Applicable Goal:

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

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

Background:

16 KAR 2:170 is the regulation that governs the Probationary Certificate for Middle School Teachers. The TC-MG is incorporated by reference. The proposed amendment to 16 KAR 2:170 includes the adoption of the new certification form, CA-MG. 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-MG form also contains the newly adopted character and fitness questionnaire.

Alternative Actions:

1. Approve the amendment to 16 KAR 2:170.
2. Modify and approve the amendment to 16 KAR 2:170.
3. Do not approve the amendment to 16 KAR 2:170.

Staff Recommendation:

Alternative Action 1

Contact Person:

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

Date:

August 10, 2015

1 **16 KAR 2:170. Probationary certificate for middle school teachers.**

2 RELATES TO: KRS 161.020, 161.028, 161.030

3 STATUTORY AUTHORITY: KRS 161.020, 161.028, 161.030

4 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020 and 161.030 require
5 that a teacher and other professional school personnel hold a certificate of legal qualifications for
6 the respective position to be issued upon completion of a program of preparation prescribed by
7 the Education Professional Standards Board. KRS 161.028 requires the Education Professional
8 Standards Board to establish the standards for obtaining and maintaining a teaching certificate.
9 This administrative regulation establishes the probationary certificate for middle school teachers
10 and the requirements for issuance and renewal of this certificate.

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

14 Section 2. Requirements for Issuance of the Probationary Certificate for Middle School
15 Teachers, Grades Five (5) Through Nine (9). (1) If a qualified teacher is not available for the
16 position of middle school teacher at the grade level and content area necessary as attested by the
17 local superintendent, the superintendent may request a one (1) year probationary certificate for a
18 teacher who:

19 (a) Holds at least a valid Kentucky teaching statement of eligibility or Kentucky teaching
20 certificate issued by the Education Professional Standards Board;

21 (b)1. Has a cumulative grade point average of 2.5 on a 4.0 scale; or

22 2. Has a grade point average of 3.0 on a 4.0 scale on the last sixty (60) hours of credit
23 completed, including undergraduate and graduate coursework;

1 (c) Has an offer of employment from a Kentucky school district or accredited nonpublic
2 school in grades five (5) through nine (9) in a content area or areas;

3 (d) Has enrolled in an approved middle school preparation program for the content area
4 or areas for which certification is sought; and

5 (e) Has successfully completed at least twelve (12) semester credit hours of content
6 coursework in each content area for which certification is sought.

7 (2) Application shall be made on Form CA-MG ~~[TC-MG]~~.

8 (3) Compliance with the requirements established in subsection (1)(d) and (e) of this
9 section shall be verified by submission of a curriculum contract completed by the teacher
10 education institution with an approved middle school preparation program in the content area or
11 areas for which certification is sought.

12 (4)(a) Upon completion of all requirements established in this section, the applicant shall
13 be issued a probationary certificate for middle school teachers in the content area or areas valid
14 for one (1) year.

15 (b) The probationary certificate shall be valid for teaching grades five (5) through nine
16 (9) in the content area or areas indicated on the face of the certificate.

17 Section 3. Requirements for Renewal of a Probationary Certificate for Middle School
18 Teachers, Grades Five (5) Through Nine (9). (1) The first renewal of the probationary certificate
19 for middle school teachers shall be for one (1) year based upon successful completion of the
20 following requirements:

21 (a) Evidence of employment in a Kentucky school district or nonpublic school in grades
22 five (5) through nine (9) in the content area or areas indicated on the initial probationary
23 certificate;

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1 (b) Completion of at least six (6) semester hours or its equivalent from the approved
2 middle school preparation program as indicated on the teacher's curriculum contract; and

3 (c) Successful completion of the Kentucky Teacher Internship Program established in 16
4 KAR 7:010. Teachers who have successfully completed the Kentucky Teacher Internship
5 Program prior to issuance of the initial probationary certificate or who are not required to
6 complete the internship program under the requirements for out-of-state teachers established in
7 KRS 161.030(5) shall not be required to complete the internship program again while serving on
8 the probationary certificate.

9 (2)(a) Subsequent one (1) year renewals of the probationary certificate for middle school
10 teachers shall require at least six (6) semester hours or its equivalent of additional credit from the
11 approved middle school preparation program as indicated on the teacher's curriculum contract.

12 (b) The probationary certificate for middle school teachers may be renewed for a
13 maximum of two (2) times after the initial issuance. [~~The total validity period of the~~
14 ~~probationary certificate for middle school teachers shall not exceed three (3) years in compliance~~
15 ~~with the No Child Left Behind Act of 2001, 20 U.S.C. 7801(23) and 34 C.F.R. 200.56.]~~

16 (3) Upon successful completion of all program requirements for the approved middle
17 school preparation program, including successful completion of all required assessments
18 established in 16 KAR 6:010, a professional certificate for teaching middle school established in
19 16 KAR 2:010 and valid for five (5) years shall be issued.

20 (4) Program requirements for completion of the middle school preparation program while
21 serving on the probationary certificate for middle school teachers shall not include student
22 teaching.

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1 Section 4. Incorporation by Reference. (1) Form CA-MG, 08/15 [~~TC-MG, rev. 7/2002~~],
2 Education Professional Standards Board, is incorporated by reference.

3 (2) This material may be inspected, copied, or obtained, subject to applicable copyright
4 law, at the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort,
5 Kentucky 40602, Monday through Friday, 8 a.m. to 4:30 p.m.

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Date

Cassandra Webb, Chairperson
Education Professional Standards Board

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PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Wednesday, September 30, 2015 at 9:00 a.m. at the offices of the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Conference Room A, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until 11:59 p.m. on September 30, 2015. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact person: Jimmy Adams, Acting Executive Director
Education Professional Standards Board
100 Airport Road, Third Floor
Frankfort, KY 40601
(502) 564-4606
FAX: (502) 564-7080

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REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation #: 16 KAR 2:170

Contact Person: Jimmy Adams, Acting Executive Director

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the qualifications for the probationary certificate for middle school teachers.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to make applicants aware of the qualifications and procedures for the probationary certificate for middle school teachers.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation delineates the qualifications for the probationary certificate for middle school teachers and establishes the procedures by which an applicant may apply for probationary teaching certification in middle school education.

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

(a) How the amendment will change this existing administrative regulation: This amendment requires applicants for career and technical education certification to use Form CA-MG. The CA-MG contains character and fitness questions adopted by the Education Professional Standards Board in 2013.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to modernize the current application process and to ensure that Education Professional Standards Board collects all the necessary information to make an informed decision regarding each applicant's qualifications and fitness to work with students.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold

certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board.

(d) How the amendment will assist in the effective administration of the statutes: This amendment will ensure that the Education Professional Standards Board collects all the necessary information to make an informed decision of each applicant's qualifications and fitness to work with students.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: 173 Kentucky school districts, all applicants seeking certification, and students.

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

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Applicants will have to submit to the Education Professional Standards Board the appropriate application form.

School districts and students will not have to take any actions to comply with this regulation.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There should be no additional cost to applicants.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Applicants will have modernized forms that increase clarity. School districts and students will benefit from increased scrutiny by the Education Professional Standards Board of each applicant's qualifications and fitness to work with students.

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

(a) Initially: None

(b) On a continuing basis: None

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

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

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

(9) TIERING: Is tiering applied? (Explain why or why not) No, tiering will not apply since all applicants for certification are required to meet the same requirements.

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FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 16 KAR 2:170
Contact Person: Jimmy Adams
Phone number: 502-564-4606

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

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 161.020, 161.028, and 161.030

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

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? There should be no additional revenues created by this amendment.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? There should be no additional revenues created by this amendment.

(c) How much will it cost to administer this program for the first year? There are no costs associated with the administration of this program.

(d) How much will it cost to administer this program for subsequent years? There are no costs associated with the administration of this program.

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

Revenues (+/-):

Expenditures (+/-):

Other Explanation: This is not a fee generating or a cost incurring program but, rather, establishes the qualifications and procedures for obtaining certification.

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SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

CA-MG, 08/15

The Application for Probationary Certificate for Middle School Teachers (**CA-MG form 08/15**) is the two (2) page application form utilized by any middle school educator applying for Kentucky certification required to obtain employment in any Kentucky public school.

The form incorporated by reference is so incorporated pursuant to:

KRS 161.020, which states that no person shall be eligible to hold the position of superintendent, principal, teacher, supervisor, director of pupil personnel, or other public school position for which certificates may be issued, or receive salary for services rendered in the position, unless he or she holds a certificate of legal qualifications for the position, issued by the Education Professional Standards Board.

161.028 is the authorizing statute for the Education Professional Standards Board and (1)(a) specifies that it establish the standards and requirements for obtaining and maintaining a teaching certificate.

161.030 states that the certification of all teachers and other school personnel, in public schools only, is vested in the Education Professional Standards Board. All certificates authorized under KRS 161.010 to 161.126 shall be issued in accordance with the administrative regulations of the Education Professional Standards Board.

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**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item F

Action Item:

Amend 16 KAR 2:200
Probationary Certificate for Teachers of English as a Second Language

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.030; KRS 161.120
16 KAR 2:200

Applicable Goal:

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

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

Background:

16 KAR 2:200 is the regulation that governs the Probationary Certificate for Teachers of English as a Second Language. The TC-EL is incorporated by reference. The proposed amendment to 16 KAR 2:200 includes the adoption of the new certification form, CA-EL. 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-EL form also contains the newly adopted character and fitness questionnaire.

Alternative Actions:

1. Approve the amendment to 16 KAR 2:200.
2. Modify and approve the amendment to 16 KAR 2:200.
3. Do not approve the amendment to 16 KAR 2:200.

Staff Recommendation:

Alternative Action 1

Contact Person:

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

Date:

August 10, 2015

1 **16 KAR 2:200. Probationary endorsement for teachers for English as a second language.**

2 RELATES TO: KRS 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 approved by the Education Professional Standards Board. This administrative
8 regulation establishes a plan for recruiting certified classroom teachers into positions for teachers
9 of English as a second language.

10 Section 1. Definitions. (1) "Qualified teacher" means a teacher who holds the appropriate
11 certification as a teacher for English as a second language unless the superintendent of the
12 employing school district has documented evidence that the teacher is unsuitable for
13 appointment.

14 (2) "Teacher for English as a second language" means a teacher who works:

15 (a) Directly with identified English as a second language pupils, in addition to the
16 regularly assigned classroom teacher; or

17 (b) In a classroom made up only of properly identified English as a second language
18 students.

19 Section 2. (1) If a qualified teacher is not available for the position of teacher for English
20 as a second language as attested by the local school superintendent, the superintendent, on behalf
21 of the local board of education, may request by filing a Form TC-EL with the Education
22 Professional Standards Board a probationary endorsement for teaching English as a second
23 language for a teacher who:

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- 1 (a) Has a bachelor's degree;
- 2 (b) Has a valid Kentucky teaching certificate;
- 3 (c) Has completed at least one (1) year of successful teaching experience;
- 4 (d) Has been admitted to the preparation program for the endorsement for teachers for
- 5 English as a second language; and
- 6 (e) Is currently enrolled in graduate studies related to the education profession.

7 (2) The request for the probationary endorsement shall be submitted on Form CA-EL
8 ~~[TC-EL]~~ to the Education Professional Standards Board for each teacher for English as a second
9 language requiring the probationary endorsement.

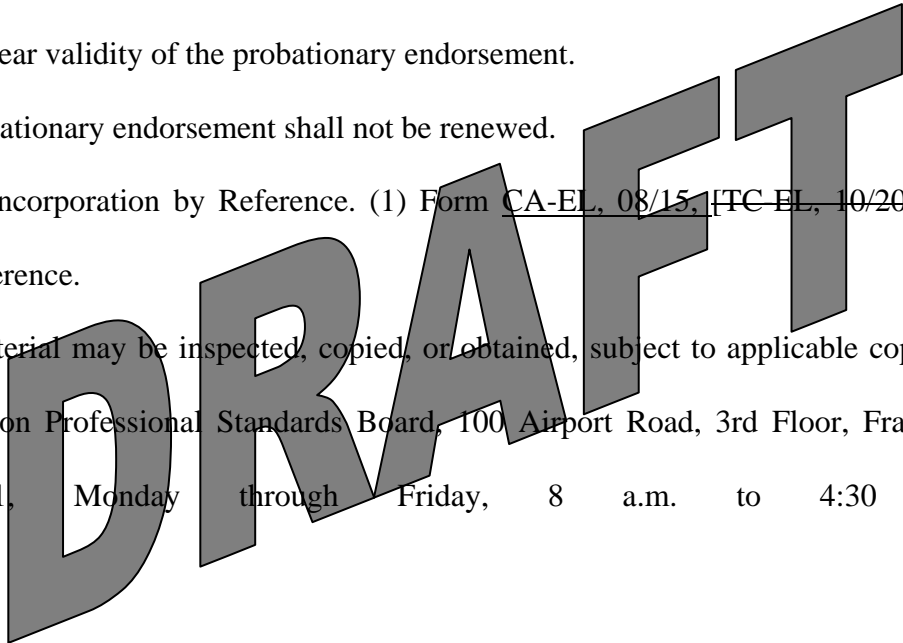
10 (3)(a) The probationary endorsement for teachers for English as a second language shall
11 be valid for a period of two (2) years from the initial request.

12 (b) A teacher receiving this probationary endorsement shall complete the required
13 curriculum for recommendation for the endorsement for teacher for English as a second language
14 within the two (2) year validity of the probationary endorsement.

15 (c) The probationary endorsement shall not be renewed.

16 Section 3. Incorporation by Reference. (1) Form CA-EL, 08/15, ~~[TC-EL, 10/2009,]~~ is
17 incorporated by reference.

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



Date

Cassandra Webb, Chairperson
Education Professional Standards Board

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PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Wednesday, September 30, 2015 at 9:00 a.m. at the offices of the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Conference Room A, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until 11:59 p.m. on September 30, 2015. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact person: Jimmy Adams, Acting Executive Director
Education Professional Standards Board
100 Airport Road, Third Floor
Frankfort, KY 40601
(502) 564-4606
FAX: (502) 564-7080

DRAFT

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation #: 16 KAR 2:200

Contact Person: Jimmy Adams, Acting Executive Director

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the qualifications for the probationary endorsement of teachers for English as a second language.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to make applicants aware of the qualifications and procedures for probationary endorsement of teachers for English as a second language.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation delineates the qualifications for teachers of English as a second language and establishes the procedures by which an applicant may apply for probationary teaching certification in English as a second language.

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

(a) How the amendment will change this existing administrative regulation: This amendment requires applicants for English as a second language probationary endorsement to use Form CA-EL. The CA-EL contains character and fitness questions adopted by the Education Professional Standards Board in 2013.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to modernize the current application process and to ensure that Education Professional Standards Board collects all the necessary information to make an informed decision regarding each applicant's qualifications and fitness to work with students.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective public school positions.

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(d) How the amendment will assist in the effective administration of the statutes: This amendment will ensure that the Education Professional Standards Board collects all the necessary information to make an informed decision of each applicant's qualifications and fitness to work with students.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: 173 Kentucky school districts, all applicants seeking certification, and students.

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

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Applicants will have to submit to the Education Professional Standards Board the appropriate application form as well as the required national and state criminal background checks when applying for emergency certification. School districts and students will not have to take any actions to comply with this regulation.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There may be an additional cost to applicants to obtain the required background check.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Applicants will have modernized forms that increase clarity. School districts and students will benefit from increased scrutiny by the Education Professional Standards Board of each applicant's qualifications and fitness to work with students.

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

(a) Initially: None

(b) On a continuing basis: None

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

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

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

(9) TIERING: Is tiering applied? (Explain why or why not) No, tiering will not apply since all applicants for certification are required to meet the same requirements.

DRAFT

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 16 KAR 2:200
Contact Person: Jimmy Adams
Phone number: 502-564-4606

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

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 161.020, 161.028 and KRS 161.030.

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

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? There should be no additional revenues created by this amendment.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? There should be no additional revenues created by this amendment.

(c) How much will it cost to administer this program for the first year? There are no costs associated with the administration of this program.

(d) How much will it cost to administer this program for subsequent years? There are no costs associated with the administration of this program.

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

Revenues (+/-):

Expenditures (+/-):

Other Explanation: This is not a fee generating or a cost incurring program but, rather, establishes the qualifications and procedures for obtaining certification.

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

CA-EL, 08/15

The Request for Certification for two year probationary English as a second language endorsement application form (**CA-EL form 08/15**) is the two (2) page application form utilized by any English as a second language educator applying for Kentucky certification required to obtain employment in any Kentucky public school.

The form incorporated by reference is so incorporated pursuant to:

KRS 161.020, which states that no person shall be eligible to hold the position of superintendent, principal, teacher, supervisor, director of pupil personnel, or other public school position for which certificates may be issued, or receive salary for services rendered in the position, unless he or she holds a certificate of legal qualifications for the position, issued by the Education Professional Standards Board.

161.028 is the authorizing statute for the Education Professional Standards Board and (1)(a) specifies that it establish the standards and requirements for obtaining and maintaining a teaching certificate.

161.030 states that the certification of all teachers and other school personnel, in public schools only, is vested in the Education Professional Standards Board. All certificates authorized under KRS 161.010 to 161.126 shall be issued in accordance with the administrative regulations of the Education Professional Standards Board.

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**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item G

Action Item:

Amend 16 KAR 3:030
Professional Certificate for Directors and Assistant Directors of Pupil Personnel

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.030; KRS 161.120
16 KAR 3:030

Applicable Goal:

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

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

Background:

16 KAR 3:030 is the regulation that governs the certification for Directors and Assistant Directors of Pupil Personnel (DPP) and includes the probationary certificate for DPP. The TC-1 and TC-40 are incorporated by reference. The proposed amendment to 16 KAR 3:030 includes the adoption of the new certification form, CA-40, updating the TC-1 to the CA-1 as adopted last year, as well as updated language. 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 updated language updates the name of the Educational Leadership Policy Standards: ISLLC 2008 document to match the currently approved standards. The proposed CA-40 form also contains the newly adopted character and fitness questionnaire.

Alternative Actions:

1. Approve the amendment to 16 KAR 3:030.
2. Modify and approve the amendment to 16 KAR 3:030.
3. Do not approve the amendment to 16 KAR 3:030.

Staff Recommendation:

Alternative Action 1

Contact Person:

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

Date:

August 10, 2015

1 **16 KAR 3:030. Professional certificate for directors and assistant directors of pupil**
2 **personnel.**

3 RELATES TO: KRS 159.080, 161.020, 161.028, 161.030

4 STATUTORY AUTHORITY: KRS 161.028

5 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020, 161.028, 161.030

6 requires that teachers and other professional school personnel hold certificates of legal
7 qualifications for their respective positions to be issued upon completion of programs of
8 preparation prescribed by the Education Professional Standards Board. Additionally, teacher
9 education institutions are required to be approved for offering the preparation programs
10 corresponding to particular certificates on the basis of standards and procedures established by
11 the Education Professional Standards Board. This administrative regulation establishes the
12 preparation and certification program for director of pupil personnel services, and establishes the
13 requirements for a probationary certificate if a person holding certificate for director of pupil
14 personnel services is not available.

15 Section 1. Definitions. (1) "Level I" means the standards-based program of studies
16 designed for minimal preparation to serve in the position of director and assistant director of
17 pupil personnel.

18 (2) "Level II" means the standards-based program of studies to attain the first five (5)
19 year renewal of the certificate for the position of director or assistant director pupil personnel.

20 (3) "Qualified applicant" means an applicant who holds the appropriate certification as a
21 director of pupil personnel services unless the superintendent of the employing school district
22 has documented evidence that the applicant is unsuitable for appointment.

1 Section 2. (1) The professional certificate for director of pupil personnel services shall be
2 issued in accordance with the pertinent Kentucky statutes and this administrative regulation to an
3 applicant who has completed the approved program of preparation which corresponds to the
4 certificate at a teacher education institution approved under the standards and procedures
5 included in 16 KAR 5:010.

6 (2) As prerequisites for the Level I program of preparation for the initial professional
7 certificate for director of pupil personnel services, the candidate shall:

8 (a) Have been admitted to a preparation program approved by the Education Professional
9 Standards Board pursuant to 16 KAR 5:010;

10 (b) Have completed three (3) years of full-time teaching experience;

11 (c) Have completed the master's degree; and

12 (d) Qualify for a Kentucky teaching certificate.

13 (3) Application for the professional certificate for director of pupil personnel services
14 shall be made on Form CA-1 incorporated by reference in 16 KAR 2:010. ~~[TC-1.]~~

15 (4) The initial professional certificate for director of pupil personnel services shall be:

16 a. Issued for a duration period of five (5) years upon the successful completion of a Level
17 I program approved by the Education Professional Standards Board pursuant to 16 KAR 5:010;

18 and

19 (b) Renewed subsequently for five (5) year periods.

20 1. The first renewal shall require the completion of a Level II program approved by the
21 Education Professional Standards Board pursuant to 16 KAR 5:010.

22 2. Each five (5) year renewal thereafter shall require the completion of:

23 a. Two (2) years of experience as a director of pupil personnel services;

1 b. Three (3) semester hours of additional graduate credit or the equivalent related to the
2 position of director of pupil personnel services; or

3 c. Forty-two (42) hours of approved training selected from programs approved for the
4 Kentucky Effective Leadership Training Program provided in KRS 156.101.

5 (5) If a lapse in certification occurs for lack of completion of the Level II preparation, the
6 certification may be reissued for a five (5) year period upon successful completion of the Level II
7 preparation, but for the lack of the renewal requirements, the certificate may be reissued after the
8 completion of an additional six (6) semester hours of graduate study or the equivalent
9 appropriate to the program.

10 Section 3. Graduate level credit earned in the Level I and Level II preparation program
11 identified in Section 2 of this administrative regulation shall be eligible for consideration of Rank
12 I classification pursuant to 16 KAR 8:010, "Plan I" or "Plan II".

13 Section 4. (1) If a qualified applicant for director of pupil personnel services is not
14 available as attested by the local school superintendent, the superintendent, on behalf of the local
15 board of education, may request a one (1) year probationary certificate for a director of pupil
16 personnel services who has:

- 17 (a) A valid Kentucky classroom teaching certificate;
- 18 (b) A master's degree;
- 19 (c) Three (3) years of successful teaching experience; and
- 20 (d) Been admitted to the preparation program for the professional certificate for director
21 of Pupil Personnel services.

22 (2) Application for the one (1) year probationary certificate for a director of pupil
23 personnel services shall be made on Form CA-40. ~~{TC-40.}~~

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1 (3) Each annual renewal of the probationary certificate for director of pupil personnel
2 services shall require completion of an additional nine (9) semester hours selected from the
3 approved program.

4 Section 5. A preparation program for the certificate for director of pupil personnel
5 services shall be consistent with the six (6) standards included in the “Educational Leadership
6 Policy Standards: ISLLC [~~“Interstate School Leaders Licensure Consortium Standards for~~
7 ~~School Leaders”~~] and the six (6) standards included in "Technology Standards for School
8 Administrators," both incorporated by reference [~~found in~~] 16 KAR 3:050[~~, Section 3, and~~
9 ~~incorporated by reference~~].

10 Section 6. Incorporation by Reference. (1) Form CA-40, 08/15, is incorporated by
11 reference. [~~The following material is incorporated by reference:~~

12 ~~—— (a) "Interstate School Leaders Licensure Consortium Standards for School Leaders",~~
13 ~~November 2, 1996;~~

14 ~~—— (b) "Form TC 1, rev. 10/02";~~

15 ~~—— (c) "Form TC 40, rev. 10/03"; and~~

16 ~~—— (d) "Technology Standards for School Administrators", 2001, Collaborative for~~
17 ~~Technology Standards for School Administrators.]~~

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

Date

Cassandra Webb, Chairperson
Education Professional Standards Board

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Agenda Book

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Wednesday, September 30, 2015 at 9:00 a.m. at the offices of the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Conference Room A, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until 11:59 p.m. on September 30, 2015. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact person: Jimmy Adams, Acting Executive Director
Education Professional Standards Board
100 Airport Road, Third Floor
Frankfort, KY 40601
(502) 564-4606
FAX: (502) 564-7080

DRAFT

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation #: 16 KAR 3:030

Contact Person: Jimmy Adams, Acting Executive Director

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the qualifications for the director and assistant director of pupil personnel certification.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to make applicants aware of the qualifications and procedures for director and assistant director of pupil personnel certification.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation delineates the qualifications for directors and assistant directors of pupil personnel certification and establishes the procedures by which an applicant may apply for director and assistant director of pupil personnel certification

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

(a) How the amendment will change this existing administrative regulation: This amendment requires applicants for directors and assistant directors of pupil personnel certification to use Forms CA-1 and CA-40. The CA-1 and CA-40 contains character and fitness questions adopted by the Education Professional Standards Board in 2013.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to modernize the current application process and to ensure that Education Professional Standards Board collects all the necessary information to make an informed decision regarding each applicant's qualifications and fitness to work with students.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold

certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board.

(d) How the amendment will assist in the effective administration of the statutes: This amendment will ensure that the Education Professional Standards Board collects all the necessary information to make an informed decision of each applicant's qualifications and fitness to work with students.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: 173 Kentucky school districts, all applicants seeking certification, and students.

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

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Applicants will have to submit to the Education Professional Standards Board the appropriate application. School districts and students will not have to take any actions to comply with this regulation.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There should be no additional charge for this regulatory amendment.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Applicants will have modernized forms that increase clarity. School districts and students will benefit from increased scrutiny by the Education Professional Standards Board of each applicant's qualifications and fitness to work with students.

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

(a) Initially: None

(b) On a continuing basis: None

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

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

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

(9) TIERING: Is tiering applied? (Explain why or why not) No, tiering will not apply since all applicants for certification are required to meet the same requirements.

DRAFT

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 16 KAR 3:030
Contact Person: Jimmy Adams
Phone number: 502-564-4606

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

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 161.020, 161.028 and KRS 161.030.

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

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? There should be no additional revenues created by this amendment.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? There should be no additional revenues created by this amendment.

(c) How much will it cost to administer this program for the first year? There are no costs associated with the administration of this program.

(d) How much will it cost to administer this program for subsequent years? There are no costs associated with the administration of this program.

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

Revenues (+/-):

Expenditures (+/-):

Other Explanation: This is not a fee generating or a cost incurring program but, rather, establishes the qualifications and procedures for obtaining certification.

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

CA-40, 08/15

The Request for a One-Year Certificate for Director of Pupil Personnel Application (**CA-40, 08/15**) is the two (2) page application form utilized by any educator applying for Kentucky Director of Pupil Personnel certification required to obtain employment in any Kentucky public school.

The form incorporated by reference is so incorporated pursuant to:

KRS 161.020, which states that no person shall be eligible to hold the position of superintendent, principal, teacher, supervisor, director of pupil personnel, or other public school position for which certificates may be issued, or receive salary for services rendered in the position, unless he or she holds a certificate of legal qualifications for the position, issued by the Education Professional Standards Board.

161.028 is the authorizing statute for the Education Professional Standards Board and (1)(a) specifies that it establish the standards and requirements for obtaining and maintaining a teaching certificate.

161.030 states that the certification of all teachers and other school personnel, in public schools only, is vested in the Education Professional Standards Board. All certificates authorized under KRS 161.010 to 161.126 shall be issued in accordance with the administrative regulations of the Education Professional Standards Board.

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**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item H

Action Item:

Amend 16 KAR 3:040
Director of Special Education

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.030; KRS 161.120
16 KAR 3:040

Applicable Goal:

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

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

Background:

16 KAR 3:040 is the regulation that governs the certification for Director of Special Education and includes the 2 year probationary certificate for Director of Special Education. The TC-1 and TC-28 are incorporated by reference. The proposed amendment to 16 KAR 3:040 includes the adoption of the new certification form, CA-28, updating the TC-1 to the CA-1 as adopted last year, as well as updated language. 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 updated language removes documents previously incorporated by reference that are no longer a part of the current regulation. The proposed CA-28 form also contains the newly adopted character and fitness questionnaire.

Alternative Actions:

1. Approve the amendment to 16 KAR 3:040.
2. Modify and approve the amendment to 16 KAR 3:040.
3. Do not approve the amendment to 16 KAR 3:040.

Staff Recommendation:

Alternative Action 1

Contact Person:

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

Date:

August 10, 2015

1 **16 KAR 3:040. Director of special education.**

2 RELATES TO: KRS 157.250, 161.020, 161.030

3 STATUTORY AUTHORITY: KRS 157.250, 161.020, 161.028, 161.030

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

5 requires 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; furthermore, the teacher
8 education institutions are required to be approved for offering the preparation programs
9 corresponding to particular certificates on the basis of standards and procedures established by
10 the Education Professional Standards Board. This administrative regulation establishes the
11 director of special education certificate, the program approval standards for the preparation-
12 certification program for directors of special education, and identifies acceptable certificates for
13 individuals who may serve in a position which supervises, directs, administers, or coordinates
14 special education programs.

15 Section 1. Definitions. (1) "Level I" means the standards-based program of studies
16 designed for minimal preparation to serve in the position of director of special education.

17 (2) "Level II" means the standards-based program of studies to attain the first five (5)
18 year renewal of the certificate for the position of director of special education.

19 (3) "Qualified applicant" means an applicant who holds the appropriate certification as a
20 director of special education unless the superintendent of the employing school district has
21 documented evidence that the applicant is unsuitable for appointment.

22 Section 2. (1) The professional certificate for director of special education shall be issued
23 in accordance with the pertinent Kentucky statutes and administrative regulations of the

1 Education Professional Standards Board to an applicant who has satisfied the prerequisites and
2 who has completed an approved program of preparation which corresponds to the certificate at a
3 teacher education institution approved under the standards and procedures included in 16 KAR
4 5:010 and this section.

5 (2) As prerequisites for the Level I program of preparation for the initial professional
6 certificate for director of special education, the candidate shall:

7 (a) Have been admitted to a preparation program approved by the Education Professional
8 Standards Board pursuant to 16 KAR 5:010;

9 (b) Have completed three (3) years of full-time experience as a teacher or school
10 psychologist with a minimum of one (1) year as a teacher of exceptional children or school
11 psychologist;

12 (c) Have attained a master's degree; [~~Rank II certification~~]; and

13 (d) Qualify for a Kentucky teaching certificate or school psychologist certificate.

14 (3) If a candidate's Rank II certification is not in the educational leadership field, a
15 teacher education institution may require additional coursework in this field as part of the Level I
16 preparation.

17 (4) Application for the professional certificate for director of special education shall be
18 made on Form CA-1 incorporated by reference in 16 KAR 2:010. [~~TC-1.~~]

19 (5) The initial professional certificate for director of special education shall be:

20 (a) Issued for a duration period of five (5) years (except as provided in Section 4(1) of
21 this administrative regulation) upon the successful completion of a Level I program approved by
22 the Education Professional Standards Board pursuant to 16 KAR 5:010; and

1 (b) Renewed subsequently for five (5) year periods.

2 1. The first renewal shall require the completion of a Level II program approved by the
3 Education Professional Standards Board pursuant to 16 KAR 5:010.

4 2. Each five (5) year renewal thereafter shall require the completion of:

5 a. Two (2) years of experience as a director of special education;

6 b. Three (3) semester hours of additional graduate credit or the equivalent related to the
7 position of the director of special education; or

8 c. Forty-two (42) hours of approved training selected from programs approved for the
9 Kentucky Effective Instructional Leadership Training Program provided in KRS 156.101.

10 (6) If a lapse in certification occurs for lack of completion of the Level II preparation, the
11 certification may be reissued for a five (5) year period upon successful completion of the Level II
12 preparation, but for the lack of the renewal requirements, the certificate may be reissued after the
13 completion of an additional six (6) semester hours of graduate study or the equivalent
14 appropriate to the program.

15 (7) Graduate level credit earned in the Level I and Level II preparation programs
16 identified in this section shall be eligible for consideration of Rank I classification pursuant to 16
17 KAR 8:010, "Plan I" or "Plan II".

18 Section 3. All persons whose job description includes supervising, directing,
19 administering, or coordinating special education programs, at the district-wide level shall be
20 required to hold one (1) of the following:

21 (1) The endorsement for director of special education;

22 (2) The professional certificate for director of special education;

23 (3) The endorsement for supervisor of special education;

1 (4) The endorsement for teacher consultant for special education;

2 (5) A certificate valid for supervisor of instruction for persons serving in that position
3 such positions on July 14, 1992, as provided by KRS 157.250; or

4 (6) A valid certificate possessing the code ADSE for approval of director of special
5 education.

6 Section 4. (1) If a qualified applicant is not available for the position of director of special
7 education, the superintendent on behalf of the local board of education may request a
8 professional certificate for director of special education for a two (2) year period for an applicant
9 who has:

10 (a) A valid Kentucky certificate for teachers of exceptional children;

11 (b) A master's degree; ~~[Rank II certification;]~~

12 (c) Three (3) years of full-time experience teaching exceptional children;

13 (d) Completed a course in special and regular education case law; and

14 (e) Been admitted to the preparation program for the professional certificate for director
15 of special education.

16 (2) Application for the two (2) year certificate for a director of special education shall be
17 made on Form CA-28. ~~[TC-28.]~~

18 (3) The applicant shall complete the total curriculum for the professional certificate for
19 director of special education by September 1 of the year of expiration.

20 Section 5. Incorporation by Reference. (1) Form CA-28, 08/15, is incorporated by
21 reference. ~~[The following material is incorporated by reference:~~

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1 ~~—— (a) "Interstate School Leaders Licensure Consortium Standards for School Leaders"~~

2 ~~November 2, 1996;~~

3 ~~—— (b) "Form TC-1, rev. 10/02";~~

4 ~~—— (c) "Form TC 28, rev. 10/02"; and~~

5 ~~—— (d) "Technology Standards for School Administrators", 2001, Collaborative for~~
6 ~~Technology Standards for School Administrators.]~~

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

DRAFT

Date

Cassandra Webb, Chairperson
Education Professional Standards Board

DRAFT

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Wednesday, September 30, 2015 at 9:00 a.m. at the offices of the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Conference Room A, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until 11:59 p.m. on September 30, 2015. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact person: Jimmy Adams, Acting Executive Director
Education Professional Standards Board
100 Airport Road, Third Floor
Frankfort, KY 40601
(502) 564-4606
FAX: (502) 564-7080

DRAFT

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation #: 16 KAR 3:040

Contact Person: Jimmy Adams, Acting Executive Director

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the qualifications for director of special education certification.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to make applicants aware of the qualifications and procedures for director of special education certification.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation delineates the qualifications for director of special education certification.

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

(a) How the amendment will change this existing administrative regulation: This amendment requires applicants for career and technical education certification to use Forms CA-1 as incorporated in 16 KAR2:010 and CA-28. The forms contain character and fitness questions adopted by the Education Professional Standards Board in 2013. Additionally, the amendment updates references to the certificate requirements language from a Rank II to attainment of a master's degree correcting outdated language in the regulation.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to modernize the current application process and to ensure that Education Professional Standards Board collects all the necessary information to make an informed decision regarding each applicant's qualifications and fitness to work with students.

Agenda Book

(c) How the amendment conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board.

(d) How the amendment will assist in the effective administration of the statutes: This amendment will ensure that the Education Professional Standards Board collects all the necessary information to make an informed decision of each applicant's qualifications and fitness to work with students.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: 173 Kentucky school districts, all applicants seeking certification, and students.

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

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Applicants will have to submit to the Education Professional Standards Board the appropriate application form as well as the required national and state criminal background checks when applying for certification. School districts and students will not have to take any actions to comply with this regulation.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There may be an additional cost to applicants to obtain the required background check.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Applicants will have modernized forms that increase clarity. School districts and students will benefit from increased scrutiny by the Education Professional Standards Board of each applicant's qualifications and fitness to work with students.

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

(a) Initially: None

(b) On a continuing basis: None

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

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

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

(9) TIERING: Is tiering applied? (Explain why or why not) No, tiering will not apply since all applicants for certification are required to meet the same requirements.

DRAFT

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 16 KAR 3:040
Contact Person: Jimmy Adams
Phone number: 502-564-4606

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

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 161.020, 161.028 and KRS 161.030.

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

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? There should be no additional revenues created by this amendment.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? There should be no additional revenues created by this amendment.

(c) How much will it cost to administer this program for the first year? There are no costs associated with the administration of this program.

(d) How much will it cost to administer this program for subsequent years? There are no costs associated with the administration of this program.

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

Revenues (+/-):

Expenditures (+/-):

Other Explanation: This is not a fee generating or a cost incurring program but, rather, establishes the qualifications and procedures for obtaining certification.

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

CA-28, 08/15

The application for director of special education. The (CA-28 form 08/15) is the two (2) page application form utilized by any applicant for director of special education applying for Kentucky educator certification required to obtain employment in any Kentucky public school district.

The form incorporated by reference is so incorporated pursuant to:

KRS 161.020, which states that no person shall be eligible to hold the position of superintendent, principal, teacher, supervisor, director of pupil personnel, or other public school position for which certificates may be issued, or receive salary for services rendered in the position, unless he or she holds a certificate of legal qualifications for the position, issued by the Education Professional Standards Board.

161.028 is the authorizing statute for the Education Professional Standards Board and (1)(a) specifies that it establish the standards and requirements for obtaining and maintaining a teaching certificate.

161.030 states that the certification of all teachers and other school personnel, in public schools only, is vested in the Education Professional Standards Board. All certificates authorized under KRS 161.010 to 161.126 shall be issued in accordance with the administrative regulations of the Education Professional Standards Board.

DRAFT

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item I

Action Item:

Amend 16 KAR 9:030
Professional Certificate for College Faculty: Secondary Education

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.048; KRS 161.120
16 KAR 9:030

Applicable Goal:

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

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

Background:

16 KAR 9:030 is the regulation that governs the Option 3 alternative route established in KRS 161.048 for college faculty teachers. The TC-194 is incorporated by reference. The proposed amendment to 16 KAR 9:030 includes the adoption of the new certification form, CA-194, as well as updated language. 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 updated language removes the term “secondary education” to align the regulation with KRS 161.048 as it now allows this route to be used for all grades certification. The proposed CA-194 form also contains the newly adopted character and fitness questionnaire and will require applicants to complete a state and federal criminal background check.

Alternative Actions:

1. Approve the amendment to 16 KAR 9:030.
2. Modify and approve the amendment to 16 KAR 9:030.
3. Do not approve the amendment to 16 KAR 9:030.

Staff Recommendation:

Alternative Action 1

Contact Person:

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

Date:

August 10, 2015

1 **16 KAR 9:030. Professional certificate for college faculty ~~[-secondary education].~~**

2 RELATES TO: KRS 161.020, 161.028, 161.030, 161.048

3 STATUTORY AUTHORITY: KRS 161.028, 161.030, 161.048

4 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.048 establishes the
5 eligibility requirements for a candidate seeking to participate in an alternative teacher preparation
6 program. This administrative regulation establishes the requirements for and renewal of the
7 professional certificate for college faculty: secondary education.

8 Section 1. Prerequisites. (1)(a) An eligible candidate who meets the requirements of KRS
9 161.048(4)(a) and (b) shall be issued a statement of eligibility for the professional certificate for
10 college faculty~~[-secondary education]~~ valid for five (5) years.

11 (b) Application for the statement of eligibility for the professional certificate for college
12 faculty~~[-secondary education]~~ shall be made on Form CA-194. ~~[TC-194.]~~

13 (2) Upon confirmation of employment in an assignment for the grade level and
14 specialization identified on the statement of eligibility, a provisional teaching certificate shall be
15 issued.

16 (3) Upon successful completion of the Kentucky Teacher Internship Program as provided
17 in KRS 161.030 and 16 KAR 7:010, the professional certificate for college faculty~~[-secondary~~
18 ~~education]~~ shall be issued~~[- valid]~~ for an additional four (4) years.

19 Section 2. Renewal. Each five (5) year renewal of the professional certificate for college
20 faculty~~[-secondary education,]~~ shall require:

21 (1) Three (3) years of successful classroom teaching experience; or

22 (2) Six (6) semester hours of additional graduate credit.

23

1 Section 3. Equivalent College Teaching Experience. (1) Ninety (90) semester credit hours
2 taught at the postsecondary level at a regionally- or nationally-accredited institution of higher
3 education shall be accepted as the equivalent of five (5) years of full-time teaching experience.

4 (2) The ninety (90) hours of college teaching experience may:

5 (a) Be accumulated at more than one (1) institution of higher education; and

6 (b) Include part-time teaching or adjunct teaching positions.

7 (3)(a) A full-time faculty member's experience at a regionally- or nationally-accredited
8 institution of higher education may include the following activities in lieu of regular full-time
9 teaching experience as established in subsection (1) of this section:

10 1. Action research;

11 2. Service to the P-12 schools; or

12 3. Other activities undertaken as part of a full-time faculty member's assigned
13 responsibilities at the institution of higher education.

14 (b) The head of the faculty member's unit shall verify the validity of the experiences or
15 responsibilities in this subsection in lieu of regular full-time teaching load on a per semester
16 basis.

17 Section 4. ~~An applicant for a professional certificate for college faculty who is not~~
18 ~~currently certified as an educator in Kentucky shall submit a national and state criminal~~
19 ~~background check performed in accordance with KRS 160.380(5)(c) within twelve (12) months~~
20 ~~prior to the date of application.~~

21 Section 5. Incorporation by Reference. (1) Form CA-194, 08/15, [~~TC 194, revised~~
22 ~~3/2001,~~] is incorporated by reference.

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

DRAFT

Date

Cassandra Webb, Chairperson
Education Professional Standards Board

DRAFT

Agenda Book

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Wednesday, September 30, 2015 at 9:00 a.m. at the offices of the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Conference Room A, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until 11:59 p.m. on September 30, 2015. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact person: Jimmy Adams, Acting Executive Director
Education Professional Standards Board
100 Airport Road, Third Floor
Frankfort, KY 40601
(502) 564-4606
FAX: (502) 564-7080

DRAFT

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation #: 16 KAR 9:030

Contact Person: Jimmy Adams, Acting Executive Director

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the qualifications for the professional certificate for college faculty.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to make applicants aware of the qualifications and procedures for professional certificate for college faculty.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board. KRS 161.048 establishes the eight alternative routes to educator certification.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation delineates the qualifications for professional certificate for college faculty and establishes the procedures by which an applicant may apply for teaching certification in all grades certification.

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

(a) How the amendment will change this existing administrative regulation: This amendment requires applicants for the professional certificate for college faculty to use Form CA-194. The CA-194 contains character and fitness questions adopted by the Education Professional Standards Board in 2013. The amendment also requires initial certification applicants to submit a national and state background check with their applications.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to modernize the current application process and to ensure that Education Professional Standards Board collects all the necessary information to make an informed decision regarding each applicant's qualifications and fitness to work with students.

Agenda Book

(c) How the amendment conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board.

(d) How the amendment will assist in the effective administration of the statutes: This amendment will ensure that the Education Professional Standards Board collects all the necessary information to make an informed decision of each applicant's qualifications and fitness to work with students.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: 173 Kentucky school districts, all applicants seeking certification, and students.

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

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Applicants will have to submit to the Education Professional Standards Board the appropriate application form as well as the required national and state criminal background checks when applying for initial certification. School districts and students will not have to take any actions to comply with this regulation.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There may be an additional cost to applicants to obtain the required background check.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Applicants will have modernized forms that increase clarity. School districts and students will benefit from increased scrutiny by the Education Professional Standards Board of each applicant's qualifications and fitness to work with students.

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

(a) Initially: None

(b) On a continuing basis: None

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

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

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

(9) TIERING: Is tiering applied? (Explain why or why not) No, tiering will not apply since all applicants for certification are required to meet the same requirements.

DRAFT

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 16 KAR 9:030
Contact Person: Jimmy Adams
Phone number: 502-564-4606

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

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 161.020, 161,028, KRS 161.030 and 161.048

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

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? There should be no additional revenues created by this amendment.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? There should be no additional revenues created by this amendment.

(c) How much will it cost to administer this program for the first year? There are no costs associated with the administration of this program.

(d) How much will it cost to administer this program for subsequent years? There are no costs associated with the administration of this program.

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

Revenues (+/-):

Expenditures (+/-)

Other Explanation: This is not a fee generating or a cost incurring program but, rather, establishes the qualifications and procedures for obtaining certification.

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SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

CA-194, 08/15

The application for statement of eligibility college faculty (**CA-194 form 08/15**) is the two (2) page application form utilized by any college faculty educator applying for Kentucky certification required to obtain employment in any Kentucky public school.

The form incorporated by reference is so incorporated pursuant to:

KRS 161.020, which states that no person shall be eligible to hold the position of superintendent, principal, teacher, supervisor, director of pupil personnel, or other public school position for which certificates may be issued, or receive salary for services rendered in the position, unless he or she holds a certificate of legal qualifications for the position, issued by the Education Professional Standards Board.

161.028 is the authorizing statute for the Education Professional Standards Board and (1)(a) specifies that it establish the standards and requirements for obtaining and maintaining a teaching certificate.

161.030 states that the certification of all teachers and other school personnel, in public schools only, is vested in the Education Professional Standards Board. All certificates authorized under KRS 161.010 to 161.126 shall be issued in accordance with the administrative regulations of the Education Professional Standards Board.

DRAFT

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item J

Action Item:

Amend 16 KAR 9:040
Part-time Adjunct Instructor Certificate

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.046; KRS 161.048; KRS 161.120
16 KAR 9:040

Applicable Goal:

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

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

Background:

16 KAR 9:040 is the regulation that governs the part-time Adjunct Instructor Certificate. The TC-25 is incorporated by reference. The proposed amendment to 16 KAR 9:040 includes the adoption of the new certification form, CA-25. 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-25 form also contains the newly adopted character and fitness questionnaire and will require those not already holding certification to complete a state and federal criminal background check.

Alternative Actions:

1. Approve the amendment to 16 KAR 9:040.
2. Modify and approve the amendment to 16 KAR 9:040.
3. Do not approve the amendment to 16 KAR 9:040.

Staff Recommendation:

Alternative Action 1

Contact Person:

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

Date:

August 10, 2015

Agenda Book

1
2
3

1 **16 KAR 9:040. Part-time adjunct instructor certificate.**

2 RELATES TO: KRS 161.020, 161.028(1)(a), (c), 161.030, 161.046, 161.048(5), 161.120

3 STATUTORY AUTHORITY: KRS 161.028(1)(a), (c), 161.030, 161.046(2),
4 161.048(1)(d)

5 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.046 and 161.048(5)
6 establish the position of adjunct instructor and require the Education Professional Standards
7 Board to promulgate administrative regulations to establish certification requirements. This
8 administrative regulation establishes the minimum requirements for an adjunct instructor
9 certificate.

10 Section 1. Definition. "Exceptional life or work experience candidate" means a person
11 with recognized superiority as compared with others in rank, status, and attainment or superior
12 knowledge and skill in comparison with the generally-accepted standards in the area in which
13 certification is sought.

14 Section 2. Candidate Eligibility Requirements. (1) An adjunct instructor shall meet the
15 requirements for good moral character as required in KRS 161.120 and the following
16 requirements relating to educational and occupational experience:

17 (a) An adjunct instructor employed in middle school or secondary school shall hold:

18 1. A bachelor's degree from a regionally accredited institution with:

19 a.(i) A cumulative minimum grade point average of 2.50 on a 4.00 scale; or

20 (ii) A minimum grade point average of 3.0 on a 4.0 scale on the last sixty (60) hours of
21 credit completed, including undergraduate and graduate coursework; and

22 b. A major, minor, or area of concentration in the specialty subject to be taught; or

1 2. A master's degree in the specialty subject to be taught from a regionally-accredited
2 institution with the minimum grade point average established in subparagraph 1a of this
3 paragraph.

4 (b) An adjunct instructor in elementary school or early childhood education program shall
5 hold:

6 1. A bachelor's degree from a regionally-accredited institution with:

7 a.(i) A cumulative minimum grade point average of 2.50 on a 4.0 scale; or

8 (ii) A minimum grade point average of 3.0 on a 4.0 scale on the last sixty (60) hours of
9 credit completed, including undergraduate and graduate coursework; and

10 b. A major, minor, or area of concentration in a planned program of child development or
11 a related area; or

12 2. A master's degree in a planned program of child development or a related area from a
13 regionally accredited institution with the minimum grade point average established in
14 subparagraph 1a of this paragraph.

15 (c) An adjunct instructor for occupation-based career and technical education shall:

16 1. Be a high school graduate;

17 2. Have at least four (4) years of appropriate occupational experience for the specialty to
18 be taught; and

19 3.a. Complete the specialty area examination prerequisite as identified in 16 KAR 6:020;

20 or

21 b. Hold either an associate degree or technical diploma in a related area.

Agenda Book

1 (2)(a) An applicant for adjunct instructor certification who does not meet the minimum
2 academic preparation requirements established in subsection (1) of this section may apply for
3 this certificate as an exceptional life or work experience candidate.

4 (b) An exceptional life or work experience candidate shall be recommended by the
5 employing school district and complete the application process established in subsection (3) of
6 this section.

7 (c) An exceptional life or work experience candidate shall include the following
8 information as verification of exceptional qualifications in the field of endeavor to be taught or
9 service to be practiced:

10 1. Sufficient documentation that demonstrates to the local school district and the
11 Education Professional Standards Board that an applicant is an exceptional life or work
12 experience candidate as defined in Section 1 of this administrative regulation and has talents and
13 abilities commensurate with the Kentucky [New] Teacher Standards established in 16 KAR
14 1:010;

15 2. Documentation of achievement that may include academic and nonacademic
16 preparation, distinguished employment, evidence of related study or experience, publications,
17 professional achievement, or recognition attained for contributions to an applicant's field or
18 endeavor; and

19 3. Recommendations from professional associations, former employers, professional
20 colleagues, or any other individual or group whose evaluations shall support exceptional life or
21 work experience in this field.

22 (3) Form CA-25 [TC-25] signed by the local district superintendent and approved by the
23 local board of education shall be submitted to the Education Professional Standards Board for

1 each adjunct instructor. The application shall be accompanied by official transcripts of all college
2 credits earned by the prospective adjunct instructor along with documentation of any exceptional
3 competencies or experiences submitted in support of the application. Upon receipt of the
4 application and appropriate documentation, a candidate meeting all of the requirements shall be
5 issued a one (1) year adjunct instructor certificate.

6 Section 3. Orientation Program. Each local board of education shall provide for an
7 orientation program for the adjunct instructors employed within the district. A detailed
8 description of the orientation program shall be a part of the certificate application form. The
9 orientation program shall include an emphasis on student safety, district policies and procedures,
10 and pedagogical assistance commensurate with the Kentucky [New] Teacher Standards
11 established in 16 KAR 1:010.

12 Section 4. An applicant for a part-time adjunct instructor who is not currently certified as
13 an educator in Kentucky shall submit a national and state criminal background check performed
14 in accordance with KRS 160.380(5)(c) within twelve (12) months prior to the date of application.

15 Section 5. Incorporation by Reference. (1) Form CA-25, 08/15, ["Form TC-25", revised
16 8/99,] is incorporated by reference.

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

Date

Cassandra Webb, Chairperson
Education Professional Standards Board

DRAFT

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Wednesday, September 30, 2015 at 9:00 a.m. at the offices of the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Conference Room A, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until 11:59 p.m. on September 30, 2015. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact person: Jimmy Adams, Acting Executive Director
Education Professional Standards Board
100 Airport Road, Third Floor
Frankfort, KY 40601
(502) 564-4606
FAX: (502) 564-7080

DRAFT

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation #: 16 KAR 9:040

Contact Person: Jimmy Adams, Acting Executive Director

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the qualifications for part-time adjunct instructors for individuals with exceptional life or work experience wishing to teach in a Kentucky public school.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to make applicants aware of the qualifications and procedures for the qualifications for part-time adjunct instructor certification.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board. KRS 161.048 establishes the requirements for alternative educator certification in Kentucky.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation delineates the qualifications for part-time adjunct instructors and establishes the procedures by which an applicant may apply for teaching certification as part-time adjunct instructor.

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

(a) How the amendment will change this existing administrative regulation: This amendment requires applicants for career and technical education certification to use Form CA-25. The CA-25 contains character and fitness questions adopted by the Education Professional Standards Board in 2013. The amendment also requires certification applicants to submit a national and state background check with their applications. Additionally, amendment updates references to the Kentucky Teacher Standards correcting outdated or incorrect language in the regulation.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to modernize the current application process and to ensure that Education Professional Standards Board collects all the necessary information to make an informed decision regarding each applicant's qualifications and fitness to work with students.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board. KRS 161.048 defines eight (8) alternative routes to educator certification in Kentucky.

(d) How the amendment will assist in the effective administration of the statutes: This amendment will ensure that the Education Professional Standards Board collects all the necessary information to make an informed decision of each applicant's qualifications and fitness to work with students.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: 173 Kentucky school districts, all applicants seeking certification, and students.

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

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Applicants will have to submit to the Education Professional Standards Board the appropriate application form as well as the required national and state criminal background checks when applying for certification. School districts and students will not have to take any actions to comply with this regulation.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There may be an additional cost to applicants to obtain the required background check.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Applicants will have modernized forms that increase clarity. School districts and

students will benefit from increased scrutiny by the Education Professional Standards Board of each applicant's qualifications and fitness to work with students.

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

(a) Initially: None

(b) On a continuing basis: None

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

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

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

(9) TIERING: Is tiering applied? (Explain why or why not) No, tiering will not apply since all applicants for certification are required to meet the same requirements.

DRAFT

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 16 KAR 9:040
Contact Person: Jimmy Adams
Phone number: 502-564-4606

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

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 161.020, 161.028, 161.030 and 161.048.

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

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? There should be no additional revenues created by this amendment.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? There should be no additional revenues created by this amendment.

(c) How much will it cost to administer this program for the first year? There are no costs associated with the administration of this program.

(d) How much will it cost to administer this program for subsequent years? There are no costs associated with the administration of this program.

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

Revenues (+/-):

Expenditures (+/-):

Other Explanation: This is not a fee generating or a cost incurring program but, rather, establishes the qualifications and procedures for obtaining certification.

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

CA-25, 08/15

The Application for Adjunct Instructor Certificate (**CA-25 form 08/15**) is the three (3) page application form utilized by any individual seeking adjunct instructor applying for Kentucky educator certification required to obtain employment in any Kentucky public school.

The form incorporated by reference is so incorporated pursuant to:

KRS 161.020, which states that no person shall be eligible to hold the position of superintendent, principal, teacher, supervisor, director of pupil personnel, or other public school position for which certificates may be issued, or receive salary for services rendered in the position, unless he or she holds a certificate of legal qualifications for the position, issued by the Education Professional Standards Board.

161.028 is the authorizing statute for the Education Professional Standards Board and (1)(a) specifies that it establish the standards and requirements for obtaining and maintaining a teaching certificate.

161.030 states that the certification of all teachers and other school personnel, in public schools only, is vested in the Education Professional Standards Board. All certificates authorized under KRS 161.010 to 161.126 shall be issued in accordance with the administrative regulations of the Education Professional Standards Board.

DRAFT

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item K

Action Item:

Amend 16 KAR 2:100

Junior Reserve Officers Training Corps Certification

Applicable Statutes and Regulation:

KRS 161.020, 161.028, 161.030 and 16 KAR 2:100

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 2:100 Junior Reserve Officers Training Corps Certification?

Background:

EPSB staff met with the Kentucky Department of Education, Office of Career and Technical Education (KDE/OCTE), and representatives of the National Guard to propose a new certification path for certifying instructors for Junior Guard programs. Currently, there are three (3) programs in operation, but they must operate as Board approved electives making the students ineligible for College and Career Readiness (CCR) credit for these programs. The proposed amendment to 16 KAR 2:100 identifies the process by which the EPSB can grant a Junior Guard Instructor certification. These requirements follow the process used to certify JROTC Instructors. Approval of this proposed certification will allow KDE to create a career pathway for the Junior Guard program giving students and schools a new opportunity for meeting CCR status.

Language in the regulation has also been updated to require applicants to complete a state and federal criminal background check.

The applicant checklist that will be followed by National Guard personnel when recommending an individual for certification has been included. Also included is a letter of support from Brigadier General Benjamin Adams.

Alternative Actions:

1. Approve the amendment to 16 KAR 2:100.
2. Modify and approve the amendment to 16 KAR 2:100.
3. Do not approve the amendment to 16 KAR 2:100.

Staff Recommendation:

Alternative Action 1

Agenda Book

Contact Person:

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

Date:

August 10, 2015

1 **16 KAR 2:100. Junior Reserve Officers Training Corps certification.**

2 RELATES TO: KRS 161.010, 161.020, 161.028, 161.030

3 STATUTORY

4 AUTHORITY: KRS 161.028, 161.030

5 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1) authorizes the
6 Education Professional Standards Board to establish standards and requirements for obtaining
7 and maintaining a teaching certificate and for programs of preparation for teachers and other
8 professional school personnel, and KRS 161.030(1) requires all certificates issued under KRS
9 161.010 to 161.1266 to be issued in accordance with the administrative regulations of the board.
10 This administrative regulation establishes the Kentucky certification for instructor of the Junior
11 Reserve Officers Training Corps.

12 Section 1. (1) The certificate for senior instructor, Junior Reserve Officers Training
13 Corps, shall be issued initially for a two (2) year period to an applicant upon completion of the
14 following:

- 15 (a) A bachelor's degree from a standard college or university as defined in KRS 161.010;
16 (b) Official recommendation by the appropriate branch of military service;
17 (c) Contract for this employment by a local school district; ~~and~~
18 (d) Recommendation for certification by the local school superintendent;
19 (e) Submission of a national and state criminal background check performed in
20 accordance with KRS160.380(5) within twelve (12) months prior to the date of application; and
21 (f) Submission of a DD214 documenting Honorable service.

1 (2) The certificate for senior instructor, Junior Reserve Officers Training Corp, may be
2 renewed for a five (5) year period upon recommendation by the local school superintendent and
3 upon completion of nine (9) semester hours to include the following:

- 4 (a) Human growth and development and learning theory;
- 5 (b) Foundations of education; and
- 6 (c) Career development and vocational planning.

7 (3) Each five (5) year renewal thereafter shall require the completion of two (2) years of
8 experience teaching in the Junior Reserve Officers Training Corps.

9 Section 2. (1) The certificate for junior instructor, Junior Reserve Officers Training
10 Corps, shall be issued initially for a two (2) year period to an applicant upon completion of the
11 following:

- 12 (a) High school graduation, or its equivalence as determined by an acceptable score on
13 the General Education Development Test;
- 14 (b) Official recommendation by the appropriate branch of military service;
- 15 (c) Contract for this employment by a local school district; ~~and~~
- 16 (d) Recommendation for certification by the local school superintendent;
- 17 ~~(e) Submission of a national and state criminal background check performed in~~
18 ~~accordance with KRS 160.380(5) within twelve (12) months prior to the date of application; and~~
- 19 ~~(f) Submission of a DD214 documenting Honorable service.~~

20 (2) Initial Renewal. The certificate for junior instructor, Junior Reserve Officers Training
21 Corps, may be initially renewed for a two (2) year period upon application to the board, using the
22 Form CA-2, incorporated by reference in 16 KAR 4:060, [~~Form TC-2, Application for~~

1 ~~Certificate Renewal/Duplicate," incorporated by reference in 16 KAR 2:090,]~~ and submission of
2 the following:

3 (a) Verification by the local school superintendent of two (2) years' successful experience
4 as a Junior Reserve Officer Training Corps Instructor at a local school district;

5 (b) Successful completion of the "New-to-Kentucky Teacher" Module and the "Substitute
6 Teacher Orientation" Module found on www.kyeducators.org. The junior ROTC instructor shall
7 make reasonable efforts to complete the modules within the first ninety (90) days of employment
8 with the local school district; and

9 (c) Successful completion of a minimum of twenty-four (24) clock hours of district-
10 approved professional development, annually; or

11 (d) Successful completion of six (6) semester hours from a standard college or university
12 as defined in KRS 161.010 to include the following:

- 13 1. Human growth and development and learning theory;
- 14 2. Foundations of education; and
- 15 3. Career development and vocational planning.

16 (3) Each subsequent two (2) year renewal thereafter shall require completion by
17 September 1 of the year of expiration of the following:

18 (a) Six (6) semester hours selected from an associate degree program from a standard
19 college or university as defined in KRS 161.010; or

20 (b) Twenty-four (24) clock hours of district-approved professional development,
21 annually.

22 (4) Upon completion of the associate degree with a 2.5 grade point standing, the
23 certificate for junior instructor, Junior Reserve Officers Training Corps, shall be renewed for a

1 five (5) year period. Each five (5) year renewal thereafter shall require completion of two (2)
2 years of experience teaching in the Junior Reserve Officers Training Corps.

3 (5) A junior instructor who renews the certificate for junior instructor, Junior Reserve
4 Officers Training Corps by completing the twenty-four (24) hours of professional development
5 annually shall not be eligible to receive the five (5) year certificate as noted in subsection (4) of
6 this section, but shall be granted a certificate of two (2) years in duration.

7 Section 3. (1) The certificate for a Senior Instructor of the Junior Guard shall be issued
8 initially for a two (2) year period upon completion of the following:

9 (a) Applicant is a current member of the United States Military or has retired from such
10 within a two year period;

11 (b) A bachelor's degree from an accredited college or university as defined in
12 KRS161.010;

13 (c) Submission of a national and state criminal background check performed in
14 accordance with KRS160.380(5) within twelve (12) months prior to the date of application;

15 (d) Submission of a DD214 documenting Honorable service;

16 (e) Official letter of recommendation from the National Guard;

17 (f) Contract for employment with a local school district;

18 (g) Recommendation for certification by the local school superintendent or designee.

19 (2) The certificate for the Senior Instructor of the Junior Guard may be renewed for a five
20 (5) year period upon completion of the may be renewed for a five (5) year period upon
21 recommendation by the local school superintendent and upon completion of six (6) semester
22 hours to include the following:

- 1 (a) Human growth and development;
- 2 (b) Foundations of education; and
- 3 (3) Each five (5) year renewal thereafter shall require the completion of two (2) years of
- 4 experience teaching in the Junior Guard.

DRAFT

Date

Cassandra Webb, Chairperson
Education Professional Standards Board

DRAFT

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Wednesday, September 30, 2015 at 9:00 a.m. at the offices of the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Conference Room A, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until 11:59 p.m. on September 30, 2015. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact person: Jimmy Adams, Acting Executive Director
Education Professional Standards Board
100 Airport Road, Third Floor
Frankfort, KY 40601
(502) 564-4606
FAX: (502) 564-7080

DRAFT

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation #: 16 KAR 2:100

Contact Person: Jimmy Adams, Acting Executive Director

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the qualifications for teachers of Junior Reserve Officers Training Corp (JROTC) certification.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to make applicants aware of the qualifications and procedures for Junior Reserve Officers Training Corp (JROTC) certification.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation delineates the qualifications for Junior Reserve Officers Training Corp (JROTC) instructors and establishes the procedures by which an applicant may apply for teaching certification in Junior Reserve Officers Training Corp (JROTC) certification.

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

(a) How the amendment will change this existing administrative regulation: This amendment adds an additional certification path for instructors of Junior Reserve Officers Training Corp (JROTC) programs. The certification requires applicants for Junior Reserve Officers Training Corp (JROTC) certification to use Form CA-2 as incorporated by reference in 16 KAR 4:060. The CA-2 contains character and fitness questions adopted by the Education Professional Standards Board in 2013. The amendment also requires initial certification applicants to submit a national and state background check with their applications.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to add a new certification path and to modernize the current application process and to ensure that Education Professional Standards Board collects all the necessary information to

make an informed decision regarding each applicant's qualifications and fitness to work with students.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board.

(d) How the amendment will assist in the effective administration of the statutes: This amendment will ensure that the Education Professional Standards Board collects all the necessary information to make an informed decision of each applicant's qualifications and fitness to work with students.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: 173 Kentucky school districts, all applicants seeking certification, and students.

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

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Applicants will have to submit to the Education Professional Standards Board the appropriate application form as well as the required national and state criminal background checks when applying for certification. School districts and students will not have to take any actions to comply with this regulation.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There may be an additional cost to applicants to obtain the required background check.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Applicants will have modernized forms that increase clarity. School districts and students will benefit from increased scrutiny by the Education Professional Standards Board of each applicant's qualifications and fitness to work with students.

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

(a) Initially: None

(b) On a continuing basis: None

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

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

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

(9) TIERING: Is tiering applied? (Explain why or why not) No, tiering will not apply since all applicants for certification are required to meet the same requirements.

DRAFT

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 16 KAR 2:100
Contact Person: Jimmy Adams
Phone number: 502-564-4606

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

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 161.020, 161.028 and KRS 161.030.

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

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? There should be no additional revenues created by this amendment.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? There should be no additional revenues created by this amendment.

(c) How much will it cost to administer this program for the first year? There are no costs associated with the administration of this program.

(d) How much will it cost to administer this program for subsequent years? There are no costs associated with the administration of this program.

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

Revenues (+/-):

Expenditures (+/-):

Other Explanation: This is not a fee generating or a cost incurring program but, rather, establishes the qualifications and procedures for obtaining certification.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item L

Action Item:

Kentucky Teacher Internship Program (KTIP) Appeals

Applicable Statutes and Regulation:

KRS 161.030

16 KAR 7:010, Section 8

Applicable Goal:

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

Issue:

Should the Education Professional Standards Board approve the recommendations of the Kentucky Teacher Internship Program (KTIP) Appeals Committee?

Background:

Pursuant to Section 8 of 16 KAR 7:010, a teacher intern may appeal the decision of the beginning teacher committee. Appeals by teacher interns must be reviewed by a committee of four persons—one teacher, one principal, one teacher educator, and the Executive Director of the EPSB or his/her designee. The Appeals Committee reviews the written appeal by the teacher intern, all beginning teacher committee reports, any additional documentation that accompanied the final report, any written responses from the members of the beginning teacher committee, and all other relevant information requested by the Appeals Committee.

The Appeals Committee may recommend that the EPSB uphold the final decision of the internship as unsuccessful, not uphold the final decision of the internship as unsuccessful, or nullify the final decision because of procedural errors, allowing the intern two additional opportunities to successfully complete the internship.

The recommendations made by the Appeals Committee will be sent under separate cover.

Alternative Actions:

1. Approve the Appeals Committee recommendations.
2. Do not approve the Appeals Committee recommendations.

Staff Recommendation:

Alternative Action 1

Rationale:

The EPSB considers the Appeals Committee's recommendations, reviews the records, and issues a final decision on each case. The Appeals Committee followed proper review procedures under the guidance of an EPSB attorney and the staff believes the recommendations are sound.

Contact Person:

Ms. Cassie Trueblood
Division of Legal Services
(502) 564-4606
E-mail: Cassie.Trueblood@ky.gov

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

Date:

August 10, 2015

Agenda Book

16 KAR 7:010. Kentucky Teacher Internship Program.

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

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

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

Section 8. Appeals. (1)(a) If a Beginning Teacher Committee finds that a teacher intern was unsuccessful, the Education Professional Standards Board shall notify the teacher intern by certified mail to the last known address of the teacher intern.

(b) To appeal the decision, the teacher intern shall file a written notice of appeal within thirty (30) calendar days of the date the written notice of finding of unsuccessful completion of the internship is received by the teacher intern. If the teacher intern fails to maintain a current address with the Education Professional Standards Board or refuses to claim the certified mail, the teacher intern shall file a written notice of appeal within thirty-five (35) days of the date the notice is mailed to the teacher intern's last known address.

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

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

1. One (1) teacher;
2. One (1) principal;
3. One (1) teacher educator; and
4. The Executive Director of the Educational Professional Standards Board, or his or her designee.

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

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

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

(b) The appeals committee shall base its recommendation upon the following requirements:

1. Evidence of the teacher intern's ability to meet the requirements of the Kentucky Teacher Standards;
2. Appropriate documentation of the instructional setting and outside normal working hours spent by the resource teacher in assisting the teacher intern as specified in KRS 161.030(7);
3. Assignment of beginning teacher committee members in accordance with legal requirements;
4. Compliance with the requirements for the timing, content, reporting, and signing of teacher intern performance records, meeting and observation forms, and resource teacher time sheets; and
5. Agreement between teacher intern performance records, professional growth plans, beginning teacher committee meeting reports, the teacher performance assessment, and the final decision of the committee.

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

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

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

- (a) The teacher intern has exhausted the two (2) year provision for participation in the Kentucky Teacher Internship Program; or
- (b) The period of validity of the statement of eligibility has expired.

(7) If, during the appeal process, it becomes evident that the beginning teacher committee has committed some procedural violation during the internship which makes it impossible to determine if the teacher intern has in fact been unsuccessful, the Education Professional Standards Board may nullify the internship and allow the teacher intern to repeat the internship without penalty.

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

(9) In notifying the teacher intern of the board's decision, the Education Professional Standards Board shall send the decision of the board by certified mail to the last known address of the teacher intern. If the teacher intern fails to maintain a current address with the Education Professional Standards Board, or refuses to claim the certified mail, the request for a hearing shall be filed in writing with the Executive Director of the Education Professional Standards Board within (20) calendar days of the date the board's decision is mailed to the teacher intern by certified mail.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item M

Action Item:

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

Applicable Statute or Regulation:

KRS 161.028
16 KAR 5:010

Applicable Goal:

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

Issue:

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

Background:

A joint NCATE/state Board of Examiners (BOE) team conducted the on-site evaluation of the Educator Preparation Unit at Transylvania University on November 9 – 11, 2014. The joint BOE team found all standards were met and recommended action on two areas for improvement. The BOE also reviewed program review documents as part of the on-site visit and found them to be in compliance with program guidelines as established and approved by the EPSB. At its June 30, 2015, meeting the Accreditation Audit Committee (AAC) met (see minutes) and reviewed the accreditation materials including the Institutional Report, the Off-Site BOE Report, the IR Addendum, and the On-Site BOE Report.

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

Corrected Area for Improvement

Standard 4: Diversity

(Initial) Candidates have limited opportunities to interact with ethnically diverse and male candidates.

New Areas for Improvement

Standard 1: Candidate Knowledge, Skills, and Professional Dispositions

(Initial) The unit does not identify and assess candidate dispositions in a consistent and coherent manner throughout multiple decision points in the program.

Groups/Persons Consulted

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

Alternative Actions:

Issue One: Unit Accreditation

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

Issue Two: Program Approval

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

AAC Recommendation:

Issue One: Alternative 1

Issue Two: Alternative 1

Rationale:

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

Agenda Book

Contact Person:

Ms. Allison Bell, Program Consultant II
Division of Educator Preparation
(502) 564-5789
E-mail: Allison.Bell@ky.gov

Date:

August 10, 2015

Accreditation Audit Committee (AAC)

**Education Professional Standards Board
Conference Room A
June 30, 2015**

MEETING MINUTES

Members Present:

Judi Conrad, Chair
Ellen Blevins
Sam Evans
Tim Watkins
Tiffany Wheeler

EPSB Staff Present:

Allison Bell
Kim Walters-Parker
Rich Miller

As a result of new appointments for this committee, the meeting started with introductions, and EPSB staff provided an explanation of the process and decision options for the committee. Minutes from the June 2014 meeting were approved.

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

TRANSYLVANIA UNIVERSITY

Dr. Wheeler recused from the committee and joined Dr. Martha O'Bryan, co-chair of the joint NCATE/state team, at the table to present the report on Transylvania University's accreditation. Dr. O'Bryan presented the report on behalf of the BOE team. She provided an overview of the BOE team and the accreditation visit. Dr. O'Bryan identified the joint team members and provided a summary of the team's findings. She reported the BOE team noted the unit was Moving Toward Target in Standard 1. She also reported that the BOE team recommends all six standards are met with one corrected and one new area for improvement.

Dr. Tiffany Wheeler, who serves as unit head, spoke on behalf of the institution. She thanked the team for their service in the accreditation review process. She indicated to the committee that she appreciated the thoughtfulness, thoroughness, and professional nature demonstrated by the team members. She was appreciative of the feedback received as a result of the entire process to aid in the institution's reflective nature.

The AAC reviewed each of the areas for improvement and had two questions for Dr. O'Bryan. The first question sought to gain clarification in the area for improvement in Standard 1 regarding the unit's process and data collection for measuring dispositions throughout the unit's assessment transition points. The second question related to the team's evidence for recommending removal of the area for improvement in Standard 4:

Diversity. Dr. O'Bryan confirmed that interviews with candidates and the team's review of their reflections on the experiences confirmed the effectiveness of the collaboration.

The AAC chose to accept the findings of the BOE team as cited in the BOE Report on the following:

Corrected Areas for Improvement

Standard 4: Diversity

(Initial) Candidates have limited opportunities to interact with ethnically and male candidates.

Continued Areas for Improvement

None

New Areas for Improvement

Standard 1: Candidate Knowledge, Skills, and Dispositions

(Initial) The unit does not identify and assess candidate dispositions in a consistent and coherent manner throughout multiple decision points in the program.

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

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

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

BIENNIAL REVIEW

The AAC conducted biennial reviews for thirteen institutions – Bellarmine University, Berea College, Campbellsville University, Eastern Kentucky University, Kentucky Christian University, Kentucky Wesleyan College, Midway College, Morehead State University, Spalding University, St. Catharine College, Thomas More College, University of Louisville, and Western Kentucky University. The committee reviewed two years of consecutive annual reports (2011-2012 and 2012-2013) submitted to the EPSB by the

institutions. Dr. Evans recused and did not participate in the discussion of the AAC evaluation of the reports from WKU.

Following the completion of the Biennial Reviews staff presented a draft of a Annual Review Process Profile document and the possible use of that profile to address the regulatory requirement of the annual status report per 16 KAR 5:010 Section 4.

The meeting adjourned at 1:30 p.m.

DRAFT

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver A

Action Item:

Waiver of the Student Teacher Placements

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.030

16 KAR 5:040, Section 6(4)(a)

Applicable Goal:

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

Issue:

Should the EPSB grant a waiver of the student teacher placement requirements?

Background:

Dr. Sam Evans, Dean, Western Kentucky University College of Education and Behavioral Sciences, is requesting a waiver of 16 KAR 5:040, Section 6(4)(a), which requires “candidates pursuing a primary through grade 12 certificate to have their student teaching balanced between an elementary school placement and a middle or high school placement.” This request is for a placement to take place during the fall 2015 semester. A Western Kentucky University (WKU) student teacher seeking certification in Spanish P-12, Ms. Amber Thompson, needs to have her placement with a secondary teacher. WKU has arranged a placement at Greenwood High School with Ms. Doris Poole, a certified Spanish teacher. As a result of no elementary school opportunities, Western Kentucky University is requesting a waiver of the elementary school placement for Ms. Thompson.

Alternative Actions:

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

Contact Person:

Ms. Allison Bell, Program Consultant II
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Date:

August 10, 2015

Agenda Book

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.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver B

Action Item:

Waiver of the Student Teacher Placements

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.030

16 KAR 5:040, Section 6(4)(a)

Applicable Goal:

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

Issue:

Should the EPSB grant a waiver of the student teacher placement requirements?

Background:

Dr. Sam Evans, Dean, Western Kentucky University College of Education and Behavioral Sciences, is requesting a waiver of 16 KAR 5:040, Section 6(4)(a), which requires “candidates pursuing a primary through grade 12 certificate to have their student teaching balanced between an elementary school placement and a middle or high school placement.” This request is for a placement to take place during the fall 2015 semester. A Western Kentucky University (WKU) student teacher seeking certification in Spanish P-12, Ms. Susan Towery, needs to have her placement with a secondary teacher. WKU has arranged a placement at Greenwood High School with Ms. Emili Terry, a certified Spanish teacher. As a result of no elementary school opportunities, Western Kentucky University is requesting a waiver of the elementary school placement for Ms. Towery.

Alternative Actions:

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

Contact Person:

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Date:

August 10, 2015

Agenda Book

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.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver C

Action Item:

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

Applicable Statutes and Regulations:

KRS 161.020, KRS 156.160, 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 section 1 of 16 KAR 5:040, Admission, placement, and supervision in student teaching, to allow placement in a non-school setting?

Background:

16 KAR 5:040 addresses student teaching in “a public school or a nonpublic school which meets the state performance standards as established in KRS 156:160 or which has been accredited by a regional or national accrediting association who is contracting with an educator preparation institution”.

The Kentucky Department of Education distinguishes among public schools (A1), public programs (A2-A7), and non-public programs/schools as outlined at <http://applications.education.ky.gov/sdci/Classification.aspx>. Public schools, A1 schools, are defined as follows: “A school under administrative control of a principal or head teacher and eligible to establish a school-based decision making council. An A1 school is not a program operated by, or as a part of, another school.”

Western Kentucky University has requested a waiver of 16 KAR 5:040 to allow placement of student teachers in the 212° Academy. The 212° Academy is described on the Warren County Public Schools website as “an enrichment program serving select gifted-identified students who will be entering grades 5 and 6 in Warren County Public Schools.” Selection criteria include performance on norm-referenced assessments, “parent and teacher input,” and a writing sample as well as an application to be submitted by the parent/guardian. According to the

www.212academy.org website, instruction is limited to science, technology, engineering, art, and math. Selected students attend the 212° Academy rather than their assigned school one day per week. As a pull-out program with selective enrollment and with a limited curricular focus, the 212° Academy, which is not an A1 school, would not provide a comprehensive student teaching experience as intended by 16 KAR 5:040.

Because the 212° Academy is a novel setting with enriching instructional activities, it is well suited as a pre-student teaching field experience site. Candidates could benefit from participating in this program's offerings prior to student teaching rather than as a student teaching placement.

Alternative Actions:

1. Do not approve the proposed waiver of 16 KAR 5:040.
2. Modify the proposed waiver of 16 KAR 5:040.
3. Approve the proposed waiver of 16 KAR 5:040.

Staff Recommendation:

Alternative Action 1

Rationale:

The 212° Academy would neither meet the regulatory requirements for a student teaching placement setting nor provide a representative student teaching experience.

Contact Person:

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Date:

August 10, 2015

Agenda Book

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

RELATES TO: KRS 161.020, 161.028, 161.030, 161.042

STATUTORY AUTHORITY: KRS 161.028, 161.030, 161.042

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

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

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

- (a) A valid teaching certificate or license for each grade and subject taught; and
 - (b) At least three (3) years of teaching experience as a certified educator.
- (2) A teacher assigned to a teaching position on the basis of a provisional, probationary, or emergency certificate issued by the Education Professional Standards Board shall not be eligible for serving as a cooperating teacher.
- (3) The district and educator preparation program shall select teachers to be cooperating teachers who demonstrate the following:
- (a) Effective classroom management techniques that promote an environment conducive to learning;
 - (b) Best practices for the delivery of instruction;
 - (c) Mastery of the content knowledge or subject matter being taught;
 - (d) Aptitude and ability to contribute to the mentoring and development of a preservice educator;
 - (e) Usage of multiple forms of assessment to inform instruction; and
 - (f) Creation of learning communities that value and build upon students' diverse backgrounds.
- (4) An educator preparation program shall give a teacher who holds a teacher leader endorsement pursuant to 16 KAR 5:010, Section 12(3), priority consideration when selecting a cooperating teacher.
- (5) Beginning September 1, 2013, prior to student teacher placement, a cooperating teacher shall receive training approved by the Education Professional Standards Board and provided at no cost to the cooperating teacher by the educator preparation institution which shall include the following components:
- (a) Basic responsibilities of a cooperating teacher;
 - (b) Best practice in supporting the student teacher; and
 - (c) Effective assessment of the student teacher.
- (6) Beginning September 1, 2013, educator preparation programs shall maintain a pool of cooperating teachers who have met the requirements of this section.
- (7) Beginning September 1, 2013, each educator preparation institution shall file an electronic report with the Education Professional Standards Board every semester which identifies the following:
- (a) Each candidate at the educator preparation institution enrolled in student teaching;
 - (b) The candidate's assigned school;
 - (c) The cooperating teacher assigned to each candidate;
 - (d) The cooperating teacher's area of certification;
 - (e) The cooperating teacher's years of experience as a certified or licensed educator; and
 - (f) The date the cooperating teacher completed the training required in subsection (5) of this section.

Section 3. Admission to Student Teaching. In addition to the appropriate sections of the National Council for Accreditation of Teacher Education (NCATE) standards which are incorporated by reference in 16 KAR 5:010, each educator preparation institution shall determine minimum standards for admission to student teaching which shall include the procedures established in this section. Admission to student teaching shall include a formal application procedure for each teacher candidate.

- (1) A record or report from a valid and current medical examination, which shall include a tuberculosis (TB) risk assessment, shall be placed on file with the admissions committee.
- (2) Prior to and during the student teaching experience, the teacher candidate shall adhere to the Professional Code of Ethics for Kentucky School Personnel established in 16 KAR 1:020.
- (3) Beginning September 1, 2013, prior to admission to student teaching, each teacher candidate shall complete a minimum of 200 clock hours of field experiences in a variety of primary through grade 12 (P-12) school settings which allow the candidate to participate in the following:
 - (a) Engagement with diverse populations of students which include:
 1. Students from a minimum of two (2) different ethnic or cultural groups of which the candidate would not be considered a member;
 2. Students from different socioeconomic groups;
 3. English language learners;
 4. Students with disabilities; and
 5. Students from across elementary, middle school, and secondary grade levels;
 - (b) Observation in schools and related agencies, including:
 1. Family Resource Centers; or
 2. Youth Service Centers;
 - (c) Student tutoring;
 - (d) Interaction with families of students;
 - (e) Attendance at school board and school-based council meetings;
 - (f) Participation in a school-based professional learning community; and...

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver D

Action Item:

Requirements for Rank II

Applicable Statute or Regulation:

16 KAR 8:020, Section 1

Applicable Goal:

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

Issue:

Should the Education Professional Standards Board (EPSB) accept a Master of Science in Health Promotion/Health Education to satisfy the requirements as an acceptable graduate program for Rank II?

Background:

Ms. Audrey Kinney holds a certificate for Teaching in the Middle Grades, Grades 5-8, Mathematics and Learning and Behavior Disorders grades Primary through 12, effective July 1, 2012. Ms. Kinney is requesting a waiver by the EPSB to allow her Master of Science in Health Promotion/Health Education to be used for Rank II status. In accordance with 16 KAR 8:020, Section 1, an acceptable graduate degree for rank change must enhance current certification; add another area of specialization to current qualifications; or advance qualifications to administration.

A copy of Ms. Kinney's letter of rationale and a transcript showing the course work completed in this degree area are attached.

Alternative Actions:

1. Approve the waiver request.
2. Deny the waiver request.

Contact Person:

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Date:

August 10, 2015

Agenda Book

16 KAR 8:020. Planned Fifth-year Program.

RELATES TO: KRS 157.390(1)(a), (b), 161.020, 161.028(1)(a), (c), (k), 161.030(1), (2)

STATUTORY AUTHORITY: KRS 161.028(1)(a), (c), (k), 161.030(1), (2)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1)(a), (c), (k) and 161.030(1), (2) vests authority for the issuance and renewal of certification for all school personnel in the Education Professional Standards Board. This administrative regulation establishes the standards for the Fifth-year Program for certificate renewal.

Section 1. (1) The standards required for the renewal of a teaching certificate shall require completion of:

(a) The continuing education alternative plan as defined in 16 KAR 8:030; or

(b) Plan I or Plan II described in this administrative regulation and in keeping with one (1) or more of the following purposes:

1. To improve the professional competency for the position covered by the initial teaching certificate;
2. To extend the scope of professional competency to a certification area not covered by the initial certificate; or
3. To obtain preparation-certification required for professional advancement to a higher position.

(2) Upon application by the candidate, the teacher education institution shall verify the completion of the Fifth-year Program to the Division of Certification.

Section 2. (1) Plan I Fifth-year Program shall require the completion of a master's degree from a college or university which meets the standards established by the Education Professional Standards Board in KAR Title 16:

(a) In a professional education specialty for which certification is issued;

(b) In an academic subject for which teacher certification is issued; or

(c) In professional education with emphasis in an academic subject for which certification is issued.

(2) The master's degree shall be consistent with the experienced teacher standards established by the Education Professional Standards Board in 16 KAR 1:010 or with standards established by the Education Professional Standards Board in KAR Title 16 for a particular professional education specialty.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver E

Action Item:

Request for Extension to Complete Master's Degree

Applicable Statutes and Regulations:

16 KAR 2:010, Section 3

Applicable Goal:

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

Issue:

Should the Educational Professional Standards Board (EPSB) grant a second one-year extension to complete the required master's degree?

Background:

Ms. Barbara Connin was initially issued a certificate from 2005-2009 in Learning and Behavior Disorders. In 2009, she requested and received a one year reissuance of her certification for the 2009-2010 school year to allow her to meet the 15 hour renewal requirement. She then requested and was issued a one-time, one-year extension for the 2014-15 school year to meet the Master's degree requirement. Ms. Connin has used all of her extensions available under regulation and is now requesting a waiver for the 2015-2016 school year so she may complete her Master's coursework.

Her supporting materials and recommendations are under separate cover.

Alternative Actions:

1. Approve the waiver request
2. Deny the waiver request

Contact Person:

Mr. John Fields, Director
Division of Certification
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Date:

August 10, 2015

Agenda Book

16 KAR 2:010. Kentucky teaching certificates.

RELATES TO: KRS 158.6451, 161.020, 161.028(1), 161.030

STATUTORY AUTHORITY: KRS 161.028(1)(a), (b), (f), 161.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1)(a) requires the Education Professional Standards Board to establish the standards for obtaining and maintaining a teaching certificate. KRS 161.028(1)(b) requires the board to set standards for programs for the preparation of teachers and other professional school personnel. KRS 161.028(1)(f) requires the board to issue and renew any certificate. This administrative regulation establishes the Kentucky certification to be issued for teaching positions.

Section 1. Definitions. (1) "Approved program of preparation" means a program which has been approved by the Education Professional Standards Board under 16 KAR 5:010 for a specific certification or which has been approved for certification by the state education agency of another state.

(2) "Assessments" means the tests of knowledge and skills authorized by KRS 161.030 and established in 16 KAR 6:010.

(3) "Base certificate" means a stand-alone license to teach which encompasses authorization to teach introductory and interdisciplinary courses in related fields.

(4) "Beginning teacher internship" means one (1) year of supervision, assistance, and assessment required by KRS 161.030 and established in 16 KAR 7:010.

(5) "Certificate endorsement" means an addition to a base or restricted base certificate, which is limited in scope and awarded on the basis of completion of an endorsement program or a combination of educational requirements, assessments and experience as outlined in Section 5 of this administrative regulation.

(6) "Certificate extension" means an additional base or restricted base certificate in a content area or grade range.

(7) "Kentucky teacher standards" means the standards established in 16 KAR 1:010 that identify what a Kentucky teacher shall know and be able to do.

(8) "Major" means an academic area of concentration consisting of at least thirty (30) hours of coursework.

(9) "Professional teaching certificate" means the document issued to:

(a) An individual upon successful completion of the beginning teacher internship; or

(b) An applicant for whom the testing and internship requirement is waived under KRS 161.030 based on preparation and experience completed outside Kentucky.

(10) "Provisional teaching certificate" means the document issued to an individual for the duration of the beginning teacher internship program.

(11) "Restricted base certificate" means a stand-alone license to teach in a specific subject area of certification which is the only subject area that can be taught under this limited certificate.

(12) "Statement of eligibility" means the document issued to an applicant upon completion of an approved program of preparation and successful completion of the assessments.

Section 2. Certificate Issuance. (1) A statement of eligibility for a provisional teaching certificate shall be issued to an applicant who has successfully completed:

(a)1. At least a bachelor's degree with:

a. A cumulative grade point average of 2.50 on a 4.0 scale; or

b. A grade point average of 3.00 on a 4.0 scale on the last sixty (60) hours of credit completed, including undergraduate and graduate coursework; or

2. As required by Section 4(2)(g)6 or (4)(e) of this administrative regulation, a master's degree with:

a. A cumulative grade point average of 2.50 on a 4.0 scale; or

b. A grade point average of 3.00 on a 4.0 scale on the last sixty (60) hours of credit completed, including undergraduate and graduate coursework;

(b) An approved program of preparation; and

(c) The assessments corresponding to the certificate identified in Section 4 of this administrative regulation for which application is being made.

(2) Upon confirmation of employment in an assignment for the grade level and specialization identified on a valid statement of eligibility, a Provisional Teaching Certificate shall be issued for the duration of the beginning teacher internship established under KRS 161.030.

(3) Upon successful completion of the internship, a Professional Teaching Certificate shall be issued, valid for a four (4) year period.

Section 3. Professional Teaching Certificate Renewal. (1) The renewal shall require completion of a fifth-year program of preparation which is consistent with:

(a) The Kentucky teacher standards established in 16 KAR 1:010; or

(b) The standards adopted by the Education Professional Standards Board for a particular professional education specialty and established in an applicable administrative regulation in KAR Title 16.

(2) The first five (5) year renewal shall require:

(a) Completion of a minimum of fifteen (15) semester hours of graduate credit applicable to the fifth-year program established in 16 KAR 8:020 by September 1 of the year of expiration of the certificate; or

(b) Completion of the professional development plan and a partial portfolio for the continuing education option established in 16 KAR 8:030.

- (3) The second five (5) year renewal shall require:
- (a) Completion of the fifth-year program established in 16 KAR 8:020 by September 1 of the year of expiration of the certificate; or
 - (b) Completion of the professional development plan and a full portfolio for the continuing education option established in 16 KAR 8:030.

(4) Each subsequent five (5) year renewal shall require completion of the renewal requirements established in 16 KAR 4:060.

Section 4. Grade Levels and Specializations. (1) Preparation for a teaching certificate shall be based on:

- (a) The Kentucky teacher standards established in 16 KAR 1:010;
 - (b) The accreditation and program approval standards established in 16 KAR 5:010, including the content standards of the relevant national specialty program associations; and
 - (c) The goals for the schools of the Commonwealth specified in KRS 158.6451 and the student academic expectations established in 703 KAR 4:060.
- (2) A base certificate shall be issued specifying one (1) or more of the following grade level and specialization authorizations:
- (a) Interdisciplinary early childhood education, birth to primary, established in 16 KAR 2:040;
 - (b) Elementary school: primary through grade five (5) to include preparation in the academic disciplines taught in the elementary school.
 - 1. The elementary certificate shall be valid for teaching grade six (6) if grade six (6) is taught in a self-contained classroom or in a school organization in which grade six (6) is housed with grade (5) in the same building.
 - 2. A candidate for the elementary certificate may simultaneously prepare for certification for teaching exceptional children.
- (c) 1. Middle school option 1: grades five (5) through nine (9) with the equivalent of one (1) major to be selected from:
- a. English and communications;
 - b. Mathematics;
 - c. Science; or
 - d. Social studies;
2. Middle school option 2: grades five (5) through nine (9) with two (2) middle school teaching fields to be selected from:
- a. English and communications;
 - b. Mathematics;
 - c. Science; or
 - d. Social studies;
3. A candidate who chooses to simultaneously prepare for teaching in the middle school and for an additional base or restricted base certificate issued under this subsection or subsection (3) of this section, including certification for teaching exceptional children, shall be required to complete one (1) middle school teaching field;
- (d) Secondary school: grades eight (8) through twelve (12) with one (1) or more of the following majors:
- 1. English;
 - 2. Mathematics;
 - 3. Social studies;
 - 4. Biology;
 - 5. Chemistry;
 - 6. Physics; or
 - 7. Earth science;
- (e) Grades five (5) through twelve (12) with one (1) or more of the following majors:
- 1. Agriculture;
 - 2. Business and marketing education;
 - 3. Family and consumer science;
 - 4. Industrial education; or
 - 5. Technology education;
- (f) All grade levels with one (1) or more of the following specialties:
- 1. Art;
 - 2. A foreign language;
 - 3. Health;
 - 4. Physical education;
 - 5. Integrated music;
 - 6. Vocal music;
 - 7. Instrumental music; or
 - 8. School media librarian; or
- (g) Grades primary through twelve (12) for teaching exceptional children and for collaborating with teachers to design and deliver programs for preprimary children, for one (1) or more of the following disabilities:
- 1. Learning and behavior disorders;
 - 2. Moderate and severe disabilities;
 - 3. Hearing impaired;
 - 4. Hearing impaired with sign proficiency;

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**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver F

Action Item:

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

Applicable Statute and/or Regulation:

KRS 161.020; KRS 161.028
16 KAR 2:120

Applicable Goal:

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

Issue:

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

This waiver request is an update of the request approved at the April 28, 2014 meeting. It reflects staffing changes for the upcoming school year. One additional hire is expected in the coming weeks and will be brought to the board in October. The background from that waiver is below.

Background:

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

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

The superintendent states that if middle school teachers with 5-9 certificates are limited to only those grade levels in the current 4-8 configuration, they are only able to utilize four periods of their instructional day. By allowing them to teach a 4th grade class in their field of certification the schools can utilize these individuals for five of the seven periods. The remainder of the teachers' schedules would consist of a planning period and an RTI period so they can assist students who are struggling with content. The content specific teachers will be able to bring

demonstrated content competency to the 4th grade level. It also provides a unique situation where the school staff can assess the delivery of content across grades 4 – 8, allowing them to align curriculum across grade levels and track student progress for a period of five years.

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

Alternative Actions:

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

Contact Person:

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

Date:

August 10, 2015

Agenda Book

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

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

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

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

Section 3. Rank and Salary Provisions. (1) The Education Professional Standards Board shall issue the emergency certificate for full-time or part-time employment established in Section 2 of this administrative regulation with a rank designation based upon the criteria established in this subsection.

(a) A teacher holding a valid Kentucky teaching certificate shall be issued an emergency certificate for full-time or part-time employment at the rank designated on the teacher's regular certificate.

(b)1. A new teacher holding a valid one (1) year provisional certificate issued upon enrollment in the Kentucky Teacher Internship Program established in 16 KAR 7:010 shall be issued an emergency certificate for part-time employment at the rank designated on the teacher's one (1) year provisional certificate.

2. The teacher shall maintain a half-time enrollment in the internship as defined in 16 KAR 7:010 to remain eligible for the higher rank established in this paragraph.

3. If the teacher terminates or otherwise fails to continue enrollment in the internship prior to its successful completion, the teacher shall be reclassified at Rank IV until the teacher is properly reenrolled in the internship program.

(c) A new teacher holding a valid Kentucky Statement of Eligibility shall be issued an emergency certificate for full-time or part-time employment at Rank IV until the teacher:

1. Is properly enrolled in the Kentucky Teacher Internship Program on at least a half-time basis as established in 16 KAR 7:010; and

2. Possesses the one (1) year provisional certificate referenced in paragraph (b)1 of this subsection.

(d) An applicant for the emergency certificate for full-time or part-time employment who does not hold a valid Kentucky teaching certificate shall be issued the emergency certificate at Rank IV.

(2) Local school districts issuing the emergency certificate for substitute teaching established in Section 2 of this administrative regulation shall adhere to the rank classifications established in KRS 161.1211.

Section 4. Out-of-field Teaching. (1) Pursuant to KRS 161.1221(1), out-of-field teaching shall be classified in the following four (4) categories:

(a) The number of emergency certificates issued by grade range, subject field, and district;

(b) The number of probationary certificates issued by grade range, subject field, and district;

(c) The number of temporary provisional certificates issued by grade range, subject field, and district; and

(d) The number of teachers who do not possess a certificate of legal qualifications for the professional position they hold in the public schools, including a breakout of:

1. The number of teachers who hold no certificate;

2. The number of teachers who hold an expired certificate;

3. The number of certified teachers who are teaching outside of the subject field or fields indicated on their certificate who do not hold a credential listed in paragraph (a), (b), or (c) of this subsection; and

4. The number of certified teachers who are teaching outside the grade range indicated on their certificate who do not hold a credential listed in paragraph (a), (b), or (c) of this subsection.

(2) If data is available, reports on out-of-field teaching in the four categories established in subsection (1) of this section shall differentiate between teachers who possess the equivalent of a college major, minor, or area of concentration in the subject area they are teaching.

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

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

(a) "Form CA-4", 08/2014;

(b) "Form CA-4F", 08/2014;

(c) "Form CA-4VE", 08/2014;

(d) "Form TC-4", 10/2009;

(e) "Form TC-4F", revised 10/2009;

(f) Form TC-4VE", 10/2009;

(g) "On-line Emergency Substitute Application Implementation Guide for Kentucky School Districts", August 2014; and

(h) "On-line TC-4 Implementation Guide for Kentucky School Districts", May 2012.

(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 a.m. to 4:30 p.m. (SBE 42.810; 1 Ky.R. 498; eff. 3-12-1975; Am. 8 Ky.R. 1164; eff. 6-2-1982; 11 Ky.R. 634; eff. 12-11-1984; 1643; eff. 5-6-1986; 13 Ky.R. 1472; eff. 3-6-1987; 15 Ky.R. 560; eff. 10-7-1988; 19 Ky.R. 2316; eff. 6-7-1993; 2316; 20 Ky.R. 423; 765; eff. 10-7-1993; 27 Ky.R. 1077; eff. 1-15-2001; 28 Ky.R. 467; 868; eff. 10-1-2001; 2066; 2340; eff. 5-16-2002; recodified from 704 KAR 20:120, 7-2-2002; 36 Ky.R. 1297; 1894; 3-5-2010; 39 Ky.R. 66; 456; eff. 9-10-2012; 41 Ky.R. 1698; eff. 1-5-2015.)

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Alternative Route to Certification Application

Action Item:

Alternative Route to Certification Application

Applicable Statutes and Regulation:

KRS 161.028, 161.030, 161.048
16 KAR 9:010

Applicable Goal:

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

Issue:

Should the Education Professional Standards Board approve the alternative route to certification application?

Background:

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

Mary Rockey, Biology, Grades 8-12

The application will be sent under separate cover.

Alternative Actions:

1. Approve the alternative route to certification application pending receipt of clear background checks
2. Modify and approve the alternative route to certification application pending receipt of clear background checks
3. Do not approve the alternative route to certification application

Contact Person:

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Date:

August 10, 2015

Agenda Book

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

RELATES TO: KRS 161.028, 161.030, 161.048

STATUTORY AUTHORITY: KRS 161.028, 161.030, 161.048

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

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

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

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

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

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

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

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

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