

Education Professional Standards Board (EPSB)

Summary Minutes of the Business Meeting

**Best Western Hotel
Frankfort, Kentucky**

August 14, 2000

Members Present:

Lydia Coffey
Joseph Early
Kristin Gregory
Cheryl Hayes
Arletta Kennedy
Terry Poindexter
Jack Rose
Frances Steenbergen
Beverly Tomlin
Charles Wade
Zella Wells
Gene Wilhoit

Members Absent:

Doris Barlow
Gregory McClellan
Rosa Weaver

Minutes

Call to Order

Chair Dr. Joe Early called the meeting to order at 9:00 AM.

Approval of Minutes

Motion made by Ms. Arletta Kennedy, seconded by Ms. Cheryl Hayes to approve the minutes of the May 7-8, 2000 EPSB meeting with the following revision: on page 3, first paragraph, correctly spell Mary Lou Yeatts.

Vote: Unanimous

Motion made by Dr. Jack Rose, seconded by Ms. Kristin Gregory to approve the minutes of the June 19, 2000 special-called EPSB meeting.

Vote: Unanimous

Open Speak

Ms. Carol Grissett addressed the board regarding the proposed certification requirements for secondary level regular classroom teachers and for special education teachers.

Ms. Jean Clemons, representing Mr. Ben Richmond, President and CEO, Louisville Urban League, read into the record a letter from Mr. Richmond regarding the required minimum scores on the PRAXIS II tests.

Report of the Executive Director

Dr. Leib reviewed with board members the following items:

Morehead State University, Murray State University, and Northern Kentucky University received funding via a federal grant entitled *Preparing Tomorrow's Teachers to Use Technology*; and
a letter from Ms. June Smith, 3rd grade teacher, Calvert City Elementary, commending the EPSB and staff for the Continuing Education Option for Rank change

Report of the Board Chair

Chair Early thanked Dr. Leib and staff for the effort put forth in the process of reestablishing the EPSB as an independent agency. Along with autonomy and with new responsibilities as outlined in SB77, Dr. Early indicated the possibility of additional board meetings. Some of the board's initiatives will be postponed while the transition continues.

The Council on Postsecondary Education requested that an EPSB board member and a staff member serve on the committee to review proposals for the Math/Science Academy as authorized in SB 77. Ms. Kennedy and Dr. Marilyn Troupe will serve.

Discussion of PRAXIS Scores

Dr. Leon Mooneyhan, Chair, Local Superintendents Advisory Council; Dr. Stephen Daeschner, Vice-Chair, Local Superintendents Advisory Council; Dr. Robert Sexton, Executive Director, Prichard Committee; and Dr. Ben Oldham, Dean of Education, Georgetown College, discussed with board members the various issues surrounding the setting of PRAXIS II cut-off scores.

Full Board Action Items

Appeal of EPSB Denial of Mr. Steven R. Meredith's Application for Teacher Certification Based on Ten Years' Exceptional Work Experience

Mr. Gary Gardner, Financial Administrator, Lincoln Village Treatment; Mr. Allen Baugh, volunteer for Lincoln Village Treatment's citizens group; and Mr. Steven Meredith provided the board with additional information regarding Mr. Meredith's application for certification based on ten years' exceptional work experience.

2000-
53

Motion made by Dr. Zella Wells, seconded by Ms. Gregory to approve the application for provisional teaching certification in agriculture, grades 9-12, for Mr. Steven R. Meredith.

Vote: Unanimous

2

Assurances Pertaining to Rehabilitation Act of 1972 (Section 504) and Revision of EPSB Waiver Request Policy and Procedure

2000-54

Motion made by Dr. Rose, seconded by Ms. Kennedy to approve the assurances pertaining to Rehabilitation Act of 1972 and amend the Waiver Request Policy and Procedure.

Vote: Unanimous

Kentucky Teacher Internship Program (KTIP) Appeals

The board reviewed materials on seven individuals who appealed to the KTIP Appeals Committee the decisions of their respective KTIP committees.

2000-55

Motion made by Ms. Beverly Tomlin, seconded by Dr. Rose to uphold the recommendation of the KTIP Appeals Committee and deny the appeal of Ms. Diane Campbell.

Vote: Unanimous

2000-56

Motion made by Dr. Rose, seconded by Ms. Terry Poindexter to deny the appeal of Ms. Joyce Fain. (Note: The KTIP Appeals Committee made no recommendation)

Vote: 9 Yes
2 No (Ms. Gregory and Ms. Lydia Coffey)

2000-57

Motion made by Ms. Poindexter, seconded by Ms. Tomlin to uphold the recommendation of the KTIP Appeals Committee and approve the appeal of Ms. Kristin Garrett.

Vote: Unanimous (Dr. Wells recused)

2000-58

Motion made by Ms. Tomlin, seconded by Ms. Hayes to uphold the recommendation of the KTIP Appeals Committee and deny the appeal of Mr. Franklin Martin.

Vote: Unanimous (Dr. Wells recused)

2000-59

Motion made by Ms. Tomlin, seconded by Ms. Hayes to uphold the recommendation of the KTIP Appeals Committee and deny the appeal of Ms. Laurie Nelson.

Vote: Unanimous

2000-60

Motion made by Ms. Lydia Coffey, seconded by Ms. Poindexter to uphold the recommendation of the KTIP Appeals Committee and deny the appeal of Ms. Latrita Russell.

Vote: Unanimous (Dr. Wade abstained)

2000-
61

Motion made by Ms. Poindexter, seconded by Ms. Coffey to uphold the recommendation of the KTIP Appeals Committee and deny the appeal of Ms. Amy Smith.

Vote: Unanimous

Approval of Local School District Applications for the Emergency Non-Certified School Personnel Program

2000-
62

Motion made by Ms. Kennedy, seconded by Dr. Rose to approve 26 applications for the Emergency Non-Certified School Personnel Program, 2000-01, as recommended by the review subcommittee.

Vote: Unanimous

2000-
63

Motion made by Dr. Rose, seconded by Ms. Hayes to waive the application due date of August 1 as stipulated in 704 KAR 20:210 and extend the due date for applications for the Emergency Non-Certified School Personnel Program to December 15, 2000. Staff's recommendations regarding new applications will be considered by the board at the September, November, and January meetings respectively. This waiver is for the 2000-01 year only.

Vote: Unanimous

Assessment and Licensure Committee

Information Items

704 KAR 20:305, Assessment Issues

The committee received information with regard to assessment issues under study by staff. Five current assessments' passing scores are out of alignment with other passing scores: (1) Mathematics Content Knowledge (0061), Physical Education Content Knowledge (0091), Chemistry Content Knowledge (0241), Physics (0261), and General Science (0432). All five scores exceed the national 25th percentile that the EPSB has typically used as a ceiling for passing scores. Staff's recommendation will be brought to the board as an action item in September.

704 KAR 20:670, Certification Issues

Staff reviewed with board members the changes suggested to the Certification Committee's recommendations during the board's July retreat. The board will be requested to approve the revised certification regulation at its September meeting.

Action Items

Final Approval of Education Administration Regulations Prior to Filing

On behalf of the Program and Technical Assistance Committee, motion made to approve the following regulations:

- 2000-64A 704 KAR 20:420 – Superintendent*
- 2000-64B 704 KAR 20:710 – Principal*
- 2000-64C 704 KAR 20:410 – Supervisor of Instruction*
- 2000-64D 704 KAR 20:540 – Director of Pupil Personnel*
- 2000-64E 704 KAR 20:198 – Director of Special Education*

Vote: Unanimous

Identification of Administrative Positions Requiring Administrative Certification Pursuant to SB 77

2000-65 *On behalf of the Assessment & Licensure Committee, motion made to approve the following positions as requiring administrative certification pursuant to SB 77:*

- | | |
|---|---|
| <i>Superintendent</i> | <i>Director of Pupil Personnel</i> |
| <i>Deputy Superintendent</i> | <i>Dean of Students</i> |
| <i>Assistant/Associate Superintendent</i> | <i>Director of Federally Supported Programs</i> |
| <i>Principal</i> | <i>Professional Development Coordinator</i> |
| <i>Assistant Principal</i> | <i>Director of District-Wide Services</i> |
| <i>Guidance Counselor</i> | <i>Instructional Coordinator</i> |
| <i>Director of Special Education</i> | <i>District Assessment Coordinator</i> |
| <i>Supervisor of Instruction</i> | |

Vote: Unanimous

Waiver Requests

2000-66 *On behalf of the Assessment & Licensure Committee, motion made to deny the request of Dr. Bill Brown, Superintendent, Silver Grove Independent Schools, on behalf of Ms. Tara Fischer to waive 704 KAR 20:690, requirement of employment as half-time teacher for internship.*

Vote: 9 Yes
1 No (Ms. Kennedy)

2000/67 On behalf of the Assessment & Licensure Committee, motion made to deny the request of Ms. Connie Hall to waive 704 KAR 20:060, certificate renewal requirement for medical reasons.

Vote: 6 Yes
4 No (Ms. Hayes, Ms. Gregory, Ms Coffey, Ms. Frances Steenbergen)

2000/68 On behalf of the Assessment & Licensure Committee, motion made to deny the request of Ms. Vina Banks Roark to waive 704 KAR 20:060, certificate renewal requirements for medical reasons.

Vote: 9 Yes
1 No (Ms. Steenbergen)

2000/69 On behalf of the Assessment & Licensure Committee, motion made to deny the request of Ms. Howard Chad Allen to waive 704 KAR 20:305, PRAXIS requirement.

Vote: Unanimous

2000/70 On behalf of the Assessment & Licensure Committee, motion made to deny the request of Ms. Carmen Romero Roman to waive 704 KAR 20:706, 2.5 GPA requirement for certification.

Vote: 7 Yes
3 No (Dr. Wade, Ms. Gregory, Ms. Coffey)

2000/71 On behalf of the Assessment & Licensure Committee, motion made to deny the request of Ms. Mini Major to waive 704 KAR 20:060, certification renewal requirements for medical reasons.

Vote: 9 Yes
1 No (Ms. Steenbergen)

2000/72 On behalf of the Assessment & Licensure Committee, motion made to deny the request of Ms. Virginia-Sue Forstat to waive 704 KAR 20:706, 2.5 GPA requirement for certification.

Vote: Unanimous

Alternative Certification Applications

2000/73 On behalf of the Assessment & Licensure Committee, motion made to approve the application for provisional teaching certification in Spanish, grades 9-12, for Mr. Richard Allen, as recommended by the Alternative Certification Subcommittee.

Vote: Unanimous

2000-14

On behalf of the Assessment & Licensure Committee, motion made to approve the application for provisional teaching certification in physical science, grades 9-12, for Ms. Joyce Nethery, as recommended by the Alternative Certification Subcommittee.

Vote: Unanimous

Program and Technical Assistance Committee

Action Items

“Equivalent Arrangement” for Student Teaching

2000-15

On behalf of the Program and Technical Assistance Committee, motion made to approve the “equivalent arrangement” for student teaching at Spalding University.

Vote: Unanimous

Program Approval

2000-16

On behalf of the Program and Technical Assistance Committee, motion made to approve the Master of Science in Curriculum and Instruction Program at Brescia University.

Vote: Unanimous (Dr. Wade abstained)

Information Item

EPSB Draft Policy Regarding Alternative Route to Certification Programs Through Colleges/Universities, Private Contractors, the Kentucky Department of Education, or the Kentucky Commonwealth Virtual University Pursuant to SB 77

The committee reviewed a draft policy with regard to “fast track” alternative route to certification programs for teachers and administrators as authorized in SB 77. The draft policy reflects the EPSB’s intent to encourage development of these programs and to waive administrative regulations when necessary to encourage innovation and efficiency. The policy will be presented to the board in September meeting for approval.

The meeting recessed at 1:50 PM.

DISCIPLINARY MATTERS
EPSB MINUTES OF CASE REVIEW
August 14, 2000

Chair Early reconvened the meeting at 2:00 PM.

Motion made by Ms. Tomlin, seconded by Ms. Hayes to go into closed session for the purpose of discussing proposed or pending litigation in accordance with KRS 61.801(1)(c)&(j).

Vote: Unanimous

Motion made by Ms. Kennedy, seconded by Ms. Tomlin to return to open session.

Vote: Unanimous

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

Joe Early, Zella Wells, Jack Rose, Kristin Gregory, Terry Poindexter, Cheryl Hayes, Arletta Kennedy, Lydia Coffey, Charles Wade, Beverly Tomlin and Frances Steenbergen. Attorneys present were Cheryl LaLonde-Mooney, Allison Weber, Cynthia Grohmann, and Courtney Baxter.

**Findings of Fact, Conclusions
Of Law, Final Order**

Case Number

Decision

98-0988 (Thomas Bowman)

Accept the hearing officer's findings of fact; amend the hearing officer's conclusions of law to find that respondent's misdemeanor conviction for possession of cocaine is proof of immoral conduct; reject the hearing officer's recommended order; adopt the final order revoking teaching certificate for a period of five years

Vote: Unanimous to accept the hearing officer's findings of fact and amend the conclusions of law (Tomlin, Rose, Hayes, Wells, Poindexter, Coffey voted in favor of a five-year revocation period; Steenbergen, Gregory, and Kennedy voted in favor of less than a five-year revocation period)

Motion made by Ms. Coffey, seconded by Ms. Kennedy to go into closed session for the purpose of discussing proposed or pending litigation in accordance with KRS 61.801(1)(c)&(j).

Vote: Unanimous

Motion made by Ms. Kennedy, seconded by Ms. Tomlin to return to open session.

Vote: Unanimous

Initial Case Review

<u>Case Number</u>	<u>Decision</u>
99-11325	Dismiss
99-11332	Dismiss
00-05104	Hear (<i>Wade recused</i>)
98-10121	Dismiss
98-10124	Dismiss
98-10125	Dismiss
98-10128	Dismiss
98-10134	Dismiss
00-0469	Hear
00-0470	Hear
00-0484	Dismiss
97-07138	Certificate has expired

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
00-06128 CF	Approve
90-0925	Approve
00-06140 CF	Approve
00-07144 CF	Approve
00-07146 CF	Approve
00-07147 CF	Approve
92-0932	Deny
00-06137 CF	Approve
00-07145 CF	Approve
00-06121 CF	Approve
96-0488	Deny
00-06138 CF	Approve
00-07154 CF	Approve
00-06136 CF	Approve
00-07153 CF	Approve
00-07156 CF	Approve
00-06108 CF	Approve (<i>Coffey dissented</i>)
00-07158 CF	Approve
00-07160 CF	Approve
00-08162 CF	Approve
00-08161 CF	Approve
00-07159 CF	Approve
00-08166 CF	Approve
00-08167 CF	Approve

00-07155 CF	Approve
00-08168 CF	Approve
00-08169 CF	Approve
99-11321 CF	Approve
00-08170 CF	Approve

Agreed Orders
Case Numbers

Decision

99-0499 (Kelly Martin)	Approve Agreed Order to revoke the teaching certificate for a period of five years, beginning 14 April 1999; and to require respondent to continue in therapy during that time and to present a letter from the therapist stating that the respondent has been drug-free and is not a danger to children Vote: Unanimous
99-05107 (Linda Lay)	Approve Agreed Order to revoke the teaching certificate for a period of one year, retroactive to 1 July 1999 Vote: Unanimous
99-10270 (Bonnie Rupsch)	Approve Agreed Order to suspend the teaching certificate from 23 September 1999 to 31 December 1999 and to require proof of successful completion of counseling Vote: Unanimous
99-11296 (Phillip Sparkman)	Approve Agreed Order to suspend the teaching certificate for a period of two years, beginning 1 July 2000. Vote: Unanimous
00-0476 (Susan Almgren)	Approve Agreed Order to suspend the teaching certificate for a period of two years, beginning 29 March 2000, and to require evidence from a certified mental health professional of the respondent's ability to carry out the duties of a teacher Vote: Unanimous
99-10279 (Robert Dreyer)	Approve Agreed Order to suspend the teaching certificate for a period of one year, beginning 7 September 1999 Vote: Unanimous

99-11298 (Phillip Daugherty)

Approve Agreed Order to suspend the teaching certificate for a period of 20 days, beginning 30 September 1999; to require respondent to view one hour of training tapes; and to require respondent to write a 10-page research paper regarding inappropriate student-teacher relationships

Vote: Unanimous

00-05104 (Randy Kimbrough)

Approve Agreed Order to permanently revoke the teaching and administrative certificates

Vote: Unanimous (*Wade recused*)

Adjournment

Motion made by Ms. Cheryl Hayes, seconded by Ms. Arletta Kennedy to adjourn the meeting.

Vote: Unanimous

The meeting adjourned at 4:00 PM.

**Next meeting: September 11-12, 2000
 Best Western Hotel
 Frankfort, Kentucky**