



# Education Professional Standards Board

Research Report No. 366

*Prepared by*

Rick Graycarek, Jean Ann Myatt, and Katherine Thomas



# **Education Professional Standards Board**

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## **Education Professional Standards Board**

### **Abstract**

The Education Professional Standards Board (EPSB) is an independent, 17-member board charged with the governance of Kentucky's teaching profession. The duties and responsibilities of the board include managing educator certification, ensuring that teacher preparation institutions are adequately preparing teachers, monitoring and applying disciplinary practices of the profession, and supporting newly graduated teachers through an internship program. EPSB manages many duties well, but some procedures need review and improvement. For example, tracking and disposition of disciplinary cases should be better detailed. Reductions in state funding have affected some programs, including the teacher internship program.



## Foreword

At its January 2009 meeting, the Program Review and Investigations Committee voted to conduct a study of the Kentucky Education Professional Standards Board. The objectives of the study were to describe the organization and examine how it performs its statutory and regulatory duties. In completing this report, numerous individuals provided valuable assistance.

Program Review staff thank the staff and board members of the Education Professional Standards Board, especially Phillip Rogers, Gary Freeland, Robert Brown, Mike Carr, Marilyn Troupe, and Alicia Sneed for their time and expertise.

The authors thank officials with the Council on Postsecondary Education, Kentucky Department of Education, Kentucky Education Association, Kentucky Association of School Administrators, Kentucky Association of School Superintendents, Prichard Committee for Academic Excellence, and Kentucky's private and public universities. Appreciation is also extended to staff at the Legislative Research Commission's Office of Education Accountability for their assistance.

Also, staff thank officials from the National Council for Accreditation of Teacher Education, National Center for Education Information, National Education Association, National Center for Education Information, and education agencies from other states for answering questions and providing data.

Robert Sherman  
Director

Legislative Research Commission  
Frankfort, Kentucky  
August 13, 2009





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## Summary

At its January 2009 meeting, the Program Review and Investigation Committee directed staff to conduct a study of the Education Professional Standards Board (EPSB). It is an independent board with authority to set standards for licensure of education professionals and for the accreditation of teacher preparation institutions. The board also adjudicates disciplinary allegations against educators. This report focuses on EPSB's operations related to teachers.

In Kentucky, responsibility for education is divided among three primary agencies: the Department of Education, the Council on Postsecondary Education, and EPSB. These agencies collaborate on education policies and issues.

## Organization

In this report, "EPSB" refers to the entire organization. "Board" and "Education Professional Standards Board" refer to the 17-member ruling body of the organization.

EPSB is an independent body. Its board has 17 members, 15 of whom are appointed by the governor and confirmed by the General Assembly. Two members are ex officio. Of the appointed members, three represent postsecondary institutions. EPSB is attached to the Education and Workforce Development Cabinet for administrative purposes only.

The board may hire its own staff and administer its own budget. In recent fiscal years, EPSB's budget declined 15 percent, from \$11.6 million in FY 2005 to \$9.9 million in FY 2009. During this period, full-time and interim staff declined from 41 to 38, and part-time staff declined by 9.

To supplement its one staff attorney, EPSB contracts with four attorneys at hourly rates of about \$75. Although contract attorneys perform similar duties as the EPSB staff attorney, their hourly rate is approximately twice the hourly wage rate of the staff attorney.

### **Recommendation 1.1**

The Education Professional Standards Board should determine if it would be more cost effective and appropriate to replace its contract attorneys with an on-staff attorney.

The board has four divisions, which are described below, and an administrative section. Each division manages different components of EPSB's statutory duties.

## **Accreditation of Teacher Preparation Units and Programs**

EPSB's Educator Preparation Division accredits teacher preparation institutions, called units, and approves programs in Kentucky. Units are accredited every 5 to 7 years. Programs are specific content areas, such as math or elementary education, within a unit. Programs must be approved for institutions seeking initial accreditation and when adding a new program to an existing accredited unit.

Accreditation is time consuming. Institutions begin preparing for accreditation as much as 2 years prior to an on-site visit by an EPSB review team. Institutions prepare and submit documents that may be hundreds of pages long. Accreditation is also complex. Different processes exist for initial accreditation and for units that seek to continue an existing accreditation.

Teacher preparation units in Kentucky must be accredited by EPSB. Although national accreditation is optional, EPSB staff use national standards when accrediting teacher preparation units. Of the 28 EPSB-accredited teacher preparation units in Kentucky, 15 also are nationally accredited.

Both state and national accreditation are peer review processes. For units that only seek state accreditation, each peer review team—called a Board of Examiners—has six members. That means a teacher preparation unit with 300 teacher candidates and one with 30 teacher candidates would have the same number of accreditation review team members. Officials and staff from some teacher preparation units suggest that this is inequitable. For national accreditation, accreditation review team sizes vary according to the number of teacher candidates and programs in a teacher preparation unit.

### **Recommendation 3.1**

The Education Professional Standards Board should consider adjusting the number of Board of Examiners team members for state-only accreditation visits so that the number is based on the size of the unit and the number of programs to be evaluated.

State accreditation review teams include faculty or staff from other teacher preparation units in Kentucky. Although institutions may object to a particular team member if a conflict of interest is perceived, accreditation teams do not necessarily include reviewers from institutions that have similar numbers of students or teacher education programs. A national accreditation organization tries to ensure that most of its team members are from institutions similar to the institution being accredited.

### **Recommendation 3.2**

The Education Professional Standards Board should consider establishing guidelines to ensure that Board of Examiners teams are reasonably representative of the type of institution being evaluated.

## **Teacher Certificates**

EPSB's Certification Division processes the certification of teachers in Kentucky. There are several different types of certificates. The most common is a base certificate, which is typically earned after completing teacher preparation and internship programs.

The number of teachers certified through alternative routes has increased in recent years. There are seven routes and each allows a person with a baccalaureate degree or higher and certain other characteristics, such as exceptional work experience or military service, to pursue a teaching certificate.

Emergency teaching certificates are granted in limited circumstances to those who are not otherwise certified to teach. The number of emergency certificates declined from 1,800 during the 2001-2002 school year to fewer than 500 during the 2008-2009 school year.

During the 2007-2008 school year, there were 43,275 full-time equivalent certified teachers at Kentucky's public schools, up 8 percent from the 2000-2001 school year. Despite this increase, math, science, foreign language, and special education teachers remain in high demand.

Minority teachers represent 5 percent of all certified public school teachers in Kentucky. The Department of Education oversees the recruitment of minority teachers. Along with EPSB, the department is required by statute to review and revise a strategic plan that would increase the number of minority teachers and administrators in Kentucky, but a plan has not been revised or published in recent years.

### **Recommendation 2.1**

The Kentucky Department of Education's Division of Educator Quality and Diversity should revise and publish the minority recruitment strategic plan per KRS 161.165.

## **Teacher Certification Tests and Internships**

EPSB's Professional Learning and Assessment Division oversees teacher certification tests. The division also oversees the teacher internship program.

The teacher internship program is primarily funded by the state, but funding has declined in recent years. As a result, 208 teacher candidates were delayed entry into the internship program in 2009. Those teachers may still teach, but they will not receive the training and mentoring that comes with an internship during their first year of teaching.

In many other states, professional development is linked to certification and is required to renew a teaching certificate. Professional development is independent of certification in Kentucky and is largely left to local school-based decision making councils. Recent task forces in Kentucky have concluded that professional development should be improved. Those findings appear to mirror national and academic reports that determined quality professional development for teachers is generally lacking.

### **Recommendation 5.1**

In collaboration with the Department of Education and the Council on Postsecondary Education, the Education Professional Standards Board should present a plan to the Program Review and Investigations Committee by October 1, 2010, for tracking the quality of teacher professional development. The plan may include moving oversight of teacher professional development to EPSB for the purpose of linking professional development to certification.

## **Disciplinary Actions Against Teachers**

Disciplinary actions against teachers are handled by EPSB's Legal Services Division. The division handles all disciplinary complaints, teacher internship and certification appeals, and character and fitness reviews.

Anyone can file a complaint against a teacher. The exact number of complaints could not be determined with certainty by EPSB staff but appears to be around 500 per year. Similarly, the number of open and closed disciplinary cases could not be determined with certainty.

According to EPSB staff, difficulties stem, in part, from the implementation of an electronic tracking system, which began in 2007. Miscommunication among EPSB staff and a lack of procedures describing how complaints and cases should be tracked also contributed to the problem. According to EPSB staff, a paper system is currently being used to track and manage disciplinary cases. By nature, a paper tracking system is slower than a fully functioning electronic system and may not be able to provide timely and complete information about the numbers and dispositions of disciplinary complaints and cases.

### **Recommendation 4.1**

The Education Professional Standards Board should finalize implementation of an electronic tracking system to accurately monitor complaints and cases against teachers, including how those complaints and cases are resolved.

### **Recommendation 4.2**

The Education Professional Standards Board should develop procedures describing how information will be entered into its electronic disciplinary tracking database and provide training to staff on the use of that database.

### **Recommendation 4.3**

The Education Professional Standards Board should develop a standard form for filing complaints against teachers and should make that form available electronically.

The board does not review every complaint filed against teachers. Instead, an EPSB attorney reviews each complaint and forwards to the board complaints that may be violations of state statute, administrative regulation, or the professional code of ethics. As a result, EPSB staff appear to exercise some discretion in determining which complaints will become open cases and will be forwarded to the board and which will not be forwarded to the board. In 2007, 51 percent of all complaints against teachers were forwarded to the board; in 2008, 37 percent were forwarded.

### **Recommendation 4.4**

The Education Professional Standards Board should consider establishing a disciplinary case review committee composed of board members, and possibly staff, to review all complaints and determine which ones should be forwarded to the entire board.



## Chapter 1

### Organization and Operation

The Education Professional Standards Board (EPSB) has authority to set standards for the licensure of teaching professionals and for the accreditation of teacher preparation institutions. The board also adjudicates disciplinary allegations against educators.

EPSB was created by the 1990 Kentucky Education Reform Act. It replaced the Council for Teacher Education and Certification, which operated within the Department of Education. Executive Orders 2000-851 and 2000-1226 and House Bill 78 from the 2001 General Assembly established EPSB as an independent board.

### Major Conclusions

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This report has six major conclusions:

1. Responsibility for education is divided among three primary agencies: the Department of Education, the Council on Postsecondary Education, and the Education Professional Standards Board (EPSB).
2. Most teachers in Kentucky entered the profession by completing a baccalaureate teacher preparation program, but an increasing number are now entering through alternative certification routes.
3. Teacher preparation institutions are accredited by EPSB through a long and complex process.
4. EPSB has difficulty tracking complaints against teachers.
5. EPSB staff decide whether or not to forward complaints against teachers to the board.
6. Due to reduced funding to the agency, more than 200 teacher candidates were delayed entry into the teacher internship program in 2009.

This report has six major conclusions.

1. Responsibility for education in Kentucky is divided among three primary agencies: the Department of Education, the Council on Postsecondary Education, and the Education Professional Standards Board. All three collaborate with each other.
2. For the 2007-2008 school year, there were more than 43,000 full-time equivalent public school teachers in Kentucky. Most teachers entered the profession by completing a baccalaureate teacher preparation program. An increasing number of teachers are entering the profession through alternative certification routes based on, for example, exceptional work experience or military service.
3. Teacher preparation institutions in Kentucky must be accredited by the Education Professional Standards Board. The accreditation process is long and complex.
4. EPSB has difficulty tracking complaints against teachers. An electronic tracking system first used in 2007 has not been implemented sufficiently to be fully reliable, so EPSB continues to use a paper tracking system.
5. EPSB staff decide whether to forward complaints against teachers to the Education Professional Standards Board.
6. During the spring of 2009, the board delayed for up to 1 year the entry of 208 teacher candidates into the required internship program because of reduced funding to the agency. These

teachers will not have the benefit of the year-long internship during their first year of teaching.

### Organization

In this report, “EPSB” refers to the entire organization; “board” and “Education Professional Standards Board” refer to the 17- member ruling body of the organization.

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The board has 17 members: nine teachers, two school administrators, one local school board representative, three postsecondary education institution representatives, the commissioner of education, and the president of the Council on Postsecondary Education.

The board has 17 members, 15 of whom are appointed by the governor and confirmed by the House of Representatives and Senate. The governor’s appointees are

- nine teachers;
- two school administrators, one of whom must be a principal;
- one local school board representative; and
- three postsecondary education institution representatives, two of whom must be deans of education from public institutions and the other a chief academic officer from a private institution.

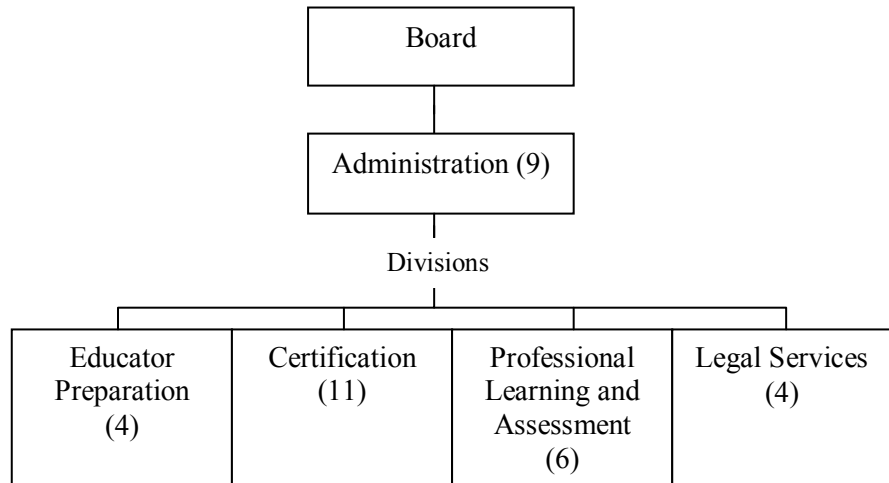
The two ex officio members are the commissioner of education and the president of the Council on Postsecondary Education, or their designees.

EPSB is an independent agency with its own staff and budget but is attached to the Education and Workforce Development Cabinet for administrative purposes. EPSB is headed by an executive director who is appointed by the board.

EPSB has 34 full-time staff, plus 2 vacant positions. EPSB also employs 5 interim and 10 part-time personnel.

As shown in Figure 1.A, EPSB has four divisions and an administrative section. Each division manages different components of EPSB’s statutory duties.

**Figure 1.A**  
**Organization of EPSB**  
**(Including Number of Filled Full-time Positions)**



Note: Organization and positions are as of March 2009.  
Source: Program Review staff analysis of information provided by EPSB.

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EPSB is organized into four divisions: Educator Preparation, Certification, Professional Learning and Assessment, and Legal Services.

The Educator Preparation Division sets standards that are used to accredit and evaluate teacher preparation institutions. The division sanctions those that do not meet these standards.

The Certification Division processes the certification of teachers. Applications are reviewed for proper qualifications.

The Professional Learning and Assessment Division oversees teacher certification tests. The division also oversees the internship program, which is designed to assist and mentor teachers as they enter the profession.

The Legal Services Division reviews educator character and fitness applications and oversees educator discipline. The division also responds to open records requests; handles certificate reinstatements; and notifies other states of suspensions, revocations, or denials of teaching certificates.

## Contract Attorneys

To supplement the one existing staff attorney, EPSB contracts with four attorneys at hourly wage rates of about \$75.

As of July 1, 2009, EPSB employed 1 full-time staff attorney and 4 contract attorneys. Both on-staff and contract attorneys negotiate agreed orders, interview witnesses, draft charges, research relevant case law, prosecute educators in administrative hearings, and draft pre- and post-hearing briefs. Contract attorneys are paid about \$75 per hour, which is more than double the hourly wage rate of the on-staff attorney.<sup>1</sup>

### Recommendation 1.1

Recommendation 1.1 is that the Education Professional Standards Board should determine if it would be more cost effective and appropriate to replace its contract attorneys with an on-staff attorney.

**The Education Professional Standards Board should determine if it would be more cost effective and appropriate to replace its contract attorneys with an on-staff attorney.**

### Operation

The powers and duties of the Education Professional Standards Board are codified in KRS 161.028 and include establishing standards and requirements for acquiring and maintaining a teaching certificate; setting standards for, approving, and evaluating teacher preparation programs; and promoting the development of one or more innovative, alternative teacher preparation programs.

KRS 161.028 describes the Education Professional Standard Board's powers and duties, which include

- establishing standards and requirements for acquiring and maintaining a teaching certificate;
- setting standards for, approving, and evaluating teacher preparation programs;
- conducting an annual review of and assisting in addressing diversity in teacher preparation programs;
- issuing, renewing, suspending, or revoking teaching certificates;
- developing specific guidelines to address allegations of sexual misconduct by certified employees;
- receiving training on the dynamics of sexual misconduct of professionals;
- recommending to the Kentucky Board of Education and reporting to the Legislative Research Commission's Interim Joint Committee on Education essential teacher information that should be included in the comprehensive state data system;
- submitting reports to the governor and the Legislative Research Commission and informing the public on the status of teaching in Kentucky;
- devising a credentialing system for alternative teacher certification routes;
- developing a professional code of ethics;

<sup>1</sup> Hourly wage amounts include federal Social Security taxes.

- charging reasonable fees for issuance, reissuance, and renewal of certificates;
- waiving a requirement established in administrative regulations if extraordinary circumstances are present;
- promoting the development of one or more innovative, nontraditional, or alternative teacher preparation programs;
- sponsoring studies, conducting research and conferences, and publishing information as appropriate; and
- issuing orders in administrative actions before the board.

With the exception of receiving sexual misconduct training, the board is fulfilling these obligations. EPSB staff are aware of this shortcoming and attribute the lapse, in part, to recent expenditure reductions. Appendix B provides a list of the board's duties under KRS 161.028 and the manner of compliance.

EPSB is fulfilling reporting requirements related to the federal Higher Education Act. The Act requires states receiving federal funding to report annually on the quality of teacher preparation, including the alignment of teacher standards with student standards, requirements for an initial teaching certificate, evaluation standards for teacher preparation programs, pass rates on certification assessments, teachers teaching without a certificate, and teacher quality improvements (U.S. Department. Higher).

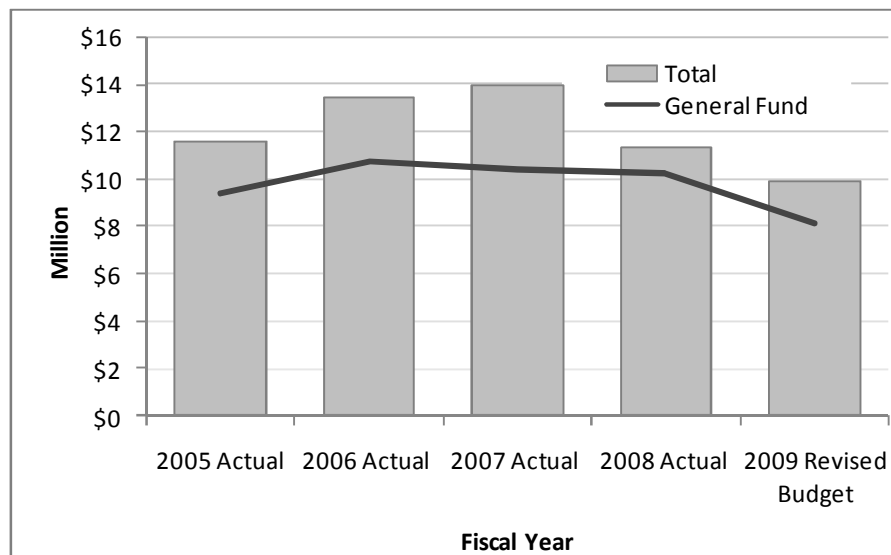
State administrative regulation requires EPSB to produce a state report card about teacher preparation programs that includes general program descriptions and assessment and internship pass rates (16 KAR 5:010 (27)). Information posted on EPSB's Web site indicates that the board is meeting this requirement.

## EPSB's Funding Has Decreased

Total EPSB expenditures decreased almost 15 percent from \$11.6 million in FY 2005 to \$9.9 million in FY 2009.

EPSB's total expenditures decreased almost 15 percent from \$11.6 million in FY 2005 to \$9.9 million in FY 2009. The end of a federal teacher quality grant in FY 2007 contributed to the decline, but state general fund expenditures also decreased. Figure 1.B shows EPSB expenditures from FY 2005 through FY 2009.

**Figure 1.B**  
**EPSB Total and General Fund Expenditures**  
**Fiscal Year 2005 to Fiscal Year 2009**



Source: Commonwealth. Education. Budget.

Spending reductions occurred across all EPSB programs and included the elimination of two board meetings, reductions in National Board Certification allocations, delays in sexual misconduct and other training for board members, and less funding for the teacher internship program.

Spending was reduced in many areas. For example, two board meetings and their associated travel costs for FY 2009 were eliminated, allocations for National Board Certification were reduced, sexual misconduct and other types of training for board members were delayed, and funding was cut for the Kentucky Teacher Internship Program.

Staff cuts were also made. From FY 2005 through FY 2009, full-time and interim staff declined by 3 and part-time staff declined by 9.

### Task Forces

In recent years, EPSB task forces have evaluated the certification of teachers, the teacher internship program, and teachers' master's degree programs.

In recent years, EPSB has evaluated, through separate task forces, the certification of teachers, the teacher internship program, and teachers' master's degree programs.

From September 2008 to May 2009, the certification task force examined administrative regulations related to certification and their impact on Kentucky's public school districts. The task force recommended changes related to expanding the grade levels certain math teachers may teach and working with the Kentucky Department of Education (KDE) to address future certificate needs in science, technology, engineering, and math. The task force was composed of school district staff, university representatives, KDE staff, and others.

The teacher internship task force met in 2008 and recommended that classroom teachers be able to mentor two interns during an academic year. Also, the task force recommended a 10 percent reduction in the amount paid to classroom teachers who mentor new teachers under the state's internship program. The task force included school district faculty and administrators, academicians, and representatives of nonprofit organizations.

The master's redesign committee was created to evaluate and change the requirements and procedures by which teachers earn a graduate degree. One goal of the redesign is the alignment of master's degree programs with needs of local school districts. Accreditation of all current master's degree programs will sunset at the end of 2010, so the committee will complete its work in the near future.

### **Collaboration Between EPSB, the Kentucky Department of Education, and the Council on Postsecondary Education**

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Examples of collaboration among EPSB, the Department of Education, and the Council on Postsecondary Education (CPE) include monthly meetings, presentations at Education Professional Standards Board meetings, the P-16 Council, and development of data systems.

In Kentucky, responsibility for education is divided among three main agencies: the Department of Education, the Council on Postsecondary Education (CPE), and EPSB. KDE oversees primary and secondary public education. CPE oversees higher education. EPSB certifies teachers and the board accredits teacher preparation institutions.

Officials from KDE, CPE, and EPSB collaborate on education policies and issues and meet monthly to discuss education topics and upcoming events. Three other examples of their collaborative efforts are summarized below.

The commissioner of education and the president of CPE, or their designees, are ex officio members of the Education Professional Standards Board. They make regular presentations at board

meetings and work with EPSB on task forces and grant-seeking committees.

A P-16 Council, created by CPE and the Board of Education in 1999, includes two representatives of EPSB. The P-16 Council advises the Board of Education, the Council on Postsecondary Education, and its other partner agencies on the preparation and professional development of teachers, the alignment of competency standards, and the elimination of barriers impeding student transition from preschool through the baccalaureate (Commonwealth Council. “Council”).

EPSB staff also worked with KDE and CPE on the development of a comprehensive data system, the Educational Data Warehouse and the second phase of the Kentucky Instructional Data System. The Educational Data Warehouse, known as MAX, provides parents, teachers, and policymakers information about Kentucky’s schools (Commonwealth Council. “External”). The Kentucky Instructional Data System, known as KIDS, “provides information for helping students, reporting, promoting data driven decision making, and uncovering opportunities for increasing efficiency” (Commonwealth Department. “Kentucky”).

### **Comments About EPSB**

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According to numerous representatives of national, state, and local organizations, EPSB is generally held in high regard.

According to numerous representatives of national, state, and local organizations, EPSB is generally held in high regard. Nationally, EPSB is recognized for managing a renowned teacher internship program and efficiently issuing teacher certificates. At the state and local levels, EPSB staff was frequently commended for its willingness to answer questions related to certification, accreditation, and educator discipline. Several current and former board members also complimented EPSB staff for its competence and reliability.

Complaints about EPSB typically centered on its processes. For example, the accreditation process was occasionally described as inflexible and time consuming. Accreditation was also deemed by some to be biased against smaller, private institutions.



## Chapter 2

### Teacher Numbers, Demographics, and Minority Recruitment

#### The Number of Teachers Has Increased

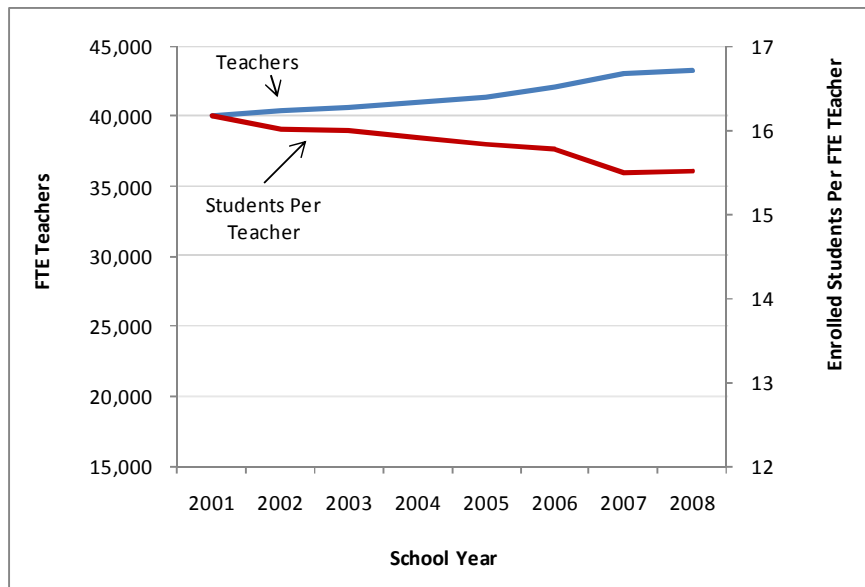
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For the 2007-2008 school year, there were 43,275 full-time equivalent teachers in Kentucky's public schools, which was 1 teacher per 15.5 students.

The number of certified full-time equivalent (FTE) teachers in Kentucky's public schools has steadily increased in recent years. As shown in Figure 2.A, there were 40,047 FTE certified teachers during the 2000-2001 school year. By the 2007-2008 school year, that number had increased by 8 percent to 43,275.

Student enrollment also increased. Between 2000-2001 and 2007-2008, total enrollment at Kentucky's public schools increased 4 percent, from 647,862 to 671,466. Because student enrollment growth was less than that for teachers, the ratio of students per FTE teacher over this period declined from 16.2 to 15.5.

**Figure 2.A**  
**Number of Full-time Equivalent (FTE) Certified Teachers in Kentucky Public Schools and Ratio of Students Per FTE Teacher by School Year**



Source: Program Review staff analysis of data from the Kentucky Department of Education (Commonwealth. Department. "Certified").

## Teachers' Entry and Exit From the Profession

Most new teachers in Kentucky enter the profession by completing an in-state teacher preparation program. More than 2,000 teachers earn an undergraduate teaching degree each year at a Kentucky public or private postsecondary institution (Commonwealth. Department. "Head"). Another 700 or so teachers complete preparation programs in other states and are granted licenses to practice in Kentucky (U.S. Department. Title II).

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Nationally, it is estimated that 40 percent of teachers leave the profession within 5 years of the time they start teaching.

Nationally, it is estimated that two of every five teachers leave the profession within 5 years of the time they start teaching (Feistritzer). Problems related to classroom management appear to be common reasons. Retirements in Kentucky account for approximately 2,000 public school vacancies annually (Commonwealth. Teachers').

## Shortages Exist for Some Subject Areas

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Although the supply of teachers in Kentucky relative to the student population has increased in recent years, the number of teachers in particular subject areas or for particular school districts may be insufficient. The state refers to these as "critical shortage areas."

Generally, the supply of teachers in Kentucky, as measured by the total number of teachers, has kept pace with overall demand, as indicated by the number of students per teacher. The supply of teachers for particular subject areas or for particular school districts may be insufficient, however. Certain areas of the state are currently encountering or have recently encountered difficulties attracting certified teachers, particularly in math, science, foreign languages, and special education. Statute defines such areas as "critical shortage areas."<sup>1</sup>

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Critical shortage areas in Kentucky include math, science, foreign languages, and special education.

To determine critical teacher shortage areas, the Kentucky Department of Education's Division of Educator Quality and Diversity follows federal protocol. Specifically, the division considers the numbers of emergency and temporary certificates by school and whether schools are dropping certain classes because they cannot find qualified teachers.

The department reports critical teacher shortage areas to the federal government each year. Table 2.1 lists teacher critical shortage areas for Kentucky from 2008 to 2010.

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<sup>1</sup> KRS 156.106 and KRS 164.769 define a "critical shortage area" as occurring when fewer teachers than needed exist in a particular subject at the secondary level, in grade levels, or in geographic locations, as determined by the commissioner of education. KRS 164.757 defines "critical shortage area" as an area in which there are insufficient numbers of fully certified staff in a particular subject, school, or geographic location.

**Table 2.1**  
**Kentucky Teacher Critical Shortage Areas**  
**as Defined by the Kentucky Department of Education**  
**2008 to 2010**

| <b>Area</b>  | <b>Grade Level</b>   |
|--|----------------------|
| Biology  | Secondary            |
| Chemistry  | Secondary            |
| Earth Science  | All                  |
| English  | Middle and Secondary |
| English as a Second Language   | All                  |
| Exceptional Children   | All                  |
| Mathematics  | Middle and Secondary |
| Physics  | Secondary            |
| Science  | Middle               |
| Social Studies   | Middle and Secondary |
| Technology<br>(Education and Information)  | All                  |
| World Languages<br>(Arabic, Chinese/Mandarin,<br>French, German, Japanese,<br>Latin, Russian, Spanish) | All                  |

Source: Commonwealth. Department. "Follow-Up."

### Teacher and Teacher Candidate Demographics

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Of certified classroom teachers during the 2007-2008 school year, 95.5 percent were white, 3.7 percent were black, 0.1 percent were Hispanic, and 0.7 percent were other minorities.

In Kentucky, 95.5 percent of certified classroom teachers during the 2007-2008 school year were white, 3.7 percent were black, 0.1 percent were Hispanic, and 0.7 percent were other minorities (Commonwealth. Department. "Head"). For the 2007-2008 school year, 83.7 percent of Kentucky's public school students were white, 10.6 percent were black, 2.6 percent were Hispanic, and 3.1 percent were other minorities (Commonwealth. Department. "Superintendent's").

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The percentage of teacher candidates who were black ranged from 5.8 percent to 7.5 percent in recent years. The percentage of teacher candidates who were Hispanic was below 1 percent.

Table 2.2 displays the percentages of teacher candidates enrolled in teacher preparation programs in Kentucky from the 2005-2006 to 2007-2008 school years by race or ethnic group. The percentage of teacher candidates who were black ranged from 5.8 percent to 7.5 percent, depending on the year. The percentage of teacher candidates who were Hispanic was less than 1 percent each year.

**Table 2.2**  
**Percentage of Undergraduate Teacher Candidates**  
**Enrolled in Teacher Preparation Programs in Kentucky**  
**by Racial or Ethnic Group**  
**School Year 2005-2006 to School Year 2007-2008**

| <b>Racial or Ethnic Group</b> | <b>School Year</b> |                  |                  |
|-------------------------------|--------------------|------------------|------------------|
|                               | <b>2005-2006</b>   | <b>2006-2007</b> | <b>2007-2008</b> |
| White, not Hispanic           | 91.2%              | 88.9%            | 88.7%            |
| Black, not Hispanic           | 5.9%               | 7.5%             | 5.8%             |
| Hispanic                      | 0.7%               | 0.7%             | 0.7%             |
| All others                    | 0.8%               | 0.8%             | 0.9%             |
| Unknown                       | 1.4%               | 2.0%             | 4.0%             |
| <b>Total</b>                  | <b>100.0%</b>      | <b>100.0%</b>    | <b>100.0%</b>    |

Note: Totals may not add to 100 percent due to rounding.

Source: Commonwealth. Education. "KEPP Report Card, Demographics."

Of all students who completed a teacher preparation program in recent years, 4.7 percent to 5.7 percent were black and less than 1 percent were Hispanic.

Table 2.3 displays the percentages of teacher candidates who completed a teacher preparation program in Kentucky from the 2005-2006 to 2007-2008 school years by race or ethnic group.<sup>2</sup> The percentage of black teacher candidates who completed their education programs ranged from 4.7 percent to 5.7 percent, which was less than the percentages of black students enrolled each year. The percentage of candidates completing programs who were Hispanic was 1 percent or less each year.

**Table 2.3**  
**Percentage of Undergraduate Teacher Candidates Completing**  
**a Teacher Preparation Program in Kentucky**  
**by Racial or Ethnic Group**  
**School Year 2005-2006 to School Year 2007-2008**

| <b>Racial or Ethnic Group</b> | <b>School Year</b> |                  |                  |
|-------------------------------|--------------------|------------------|------------------|
|                               | <b>2005-2006</b>   | <b>2006-2007</b> | <b>2007-2008</b> |
| White, not Hispanic           | 93.8%              | 91.9%            | 92.4%            |
| Black, not Hispanic           | 4.7%               | 5.7%             | 4.8%             |
| Hispanic                      | 0.5%               | 0.7%             | 1.0%             |
| All others                    | 0.5%               | 0.8%             | 0.7%             |
| Unknown                       | 0.5%               | 0.8%             | 1.2%             |
| <b>Total</b>                  | <b>100.0%</b>      | <b>100.0%</b>    | <b>100.0%</b>    |

Note: Totals may not add to 100 percent due to rounding.

Source: Commonwealth. Education. "KEPP Report Card, Demographics."

<sup>2</sup> The percentage of students completing their degrees in any given year will not necessarily correspond to the composition of any given year's enrollment. Those completing a teacher preparation program likely will have entered the program 3, 4, or 5 years earlier.

## KDE Oversees Minority Recruitment

Minority recruitment is overseen by the Kentucky Department of Education's Division of Educator Quality and Diversity. The division's mission is to

recruit highly qualified individuals into teaching, improve the quality of teacher preparation, encourage minority candidates to enter teaching, and provide continuous assistance to current teachers through collaboration with colleges and academic departments and local school districts (Commonwealth. Department. "Future").

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Statute requires the Kentucky Department of Education (KDE), in cooperation with EPSB, to review and revise a strategic plan that would increase the number of minority teachers and administrators in Kentucky. According to KDE, a report addressing these issues has not been revised or published in recent years.

Under KRS 161.165, the division, in cooperation with EPSB, is required to review and revise a strategic plan that would increase the number of minority teachers and administrators in Kentucky. The plan is to include recommendations for how the percentage of minority educators can be increased in proportion to the number of minority students, how to assist minority persons with college degrees to enter the teaching profession, and how to make known through secondary school guidance counselors the need for minority teachers. The statute also requires KDE and EPSB to promote programs that increase the percentage of minorities who enter and successfully complete a 4-year teacher preparation program. According to division staff, a report addressing these issues has not been revised or published in recent years.

### Recommendation 2.1

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Recommendation 2.1 is that KDE should revise and publish the minority recruitment strategic plan per KRS 161.165.

**The Kentucky Department of Education's Division of Educator Quality and Diversity should revise and publish the minority recruitment strategic plan per KRS 161.165.**



## Chapter 3

### Accreditation of Teacher Preparation Units

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The Education Professional Standards Board accredits teacher preparation units and approves teacher preparation programs in Kentucky. Units have direct responsibility for educating teachers at postsecondary institutions. Programs are specific content areas within a unit.

The Education Professional Standards Board accredits teacher preparation units and approves teacher preparation programs in Kentucky. Units, which include colleges of education, have direct responsibility for educating teachers at postsecondary institutions and are accredited every 5 or 7 years. Programs are specific content areas within a unit, such as math or elementary education.

To evaluate teacher preparation units, EPSB uses the same accreditation standards as the National Council for Accreditation of Teacher Education (NCATE), a national teacher preparation accreditation body. State accreditation is required; national accreditation is optional.

This chapter gives an overview of the accreditation process. It includes a discussion of national and state accreditation and an overview of other states' accreditation processes. The procedure for appeals of accreditation decisions is also described.

#### Overview

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Postsecondary teacher preparation units are reviewed at multiple levels.

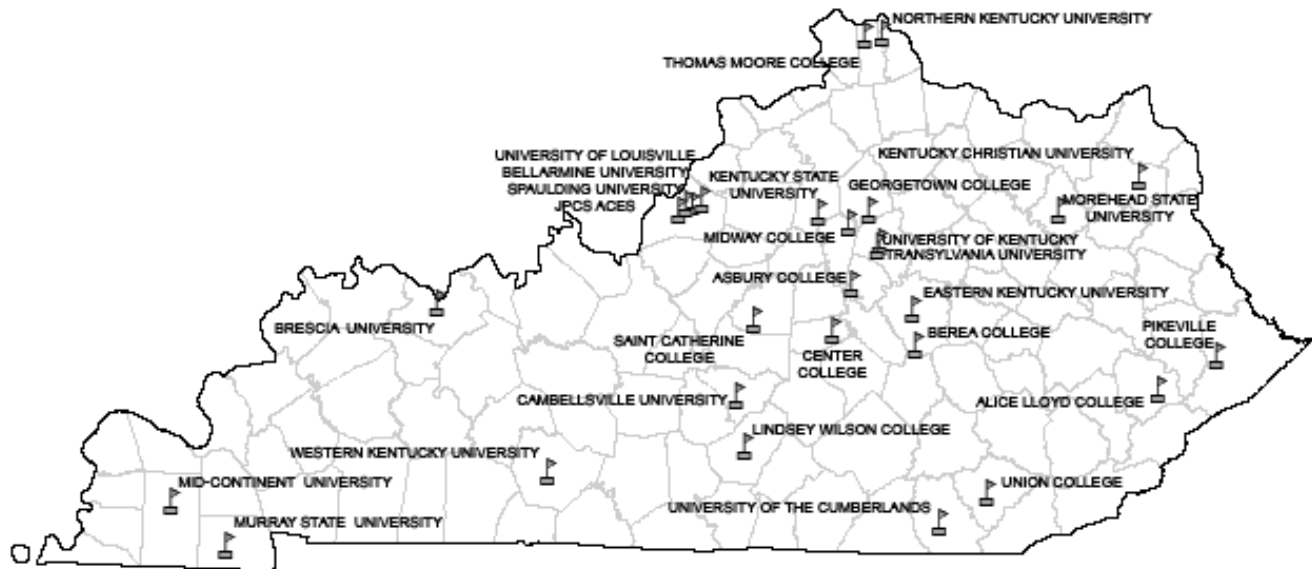
Postsecondary teacher preparation units in Kentucky are reviewed at multiple levels. The Southern Association of Colleges and Schools is a regional accreditation body that accredits the entire institution. The Kentucky Council on Postsecondary Education approves all degree programs. The Education Professional Standards Board accredits public and private teacher preparation units and approves all teacher preparation programs.<sup>1</sup>

Figure 3.A shows the location of all 28 state-accredited teacher preparation units in Kentucky.

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<sup>1</sup> CPE will not approve a teacher preparation program unless it has first been approved by the Education Professional Standards Board (Commonwealth Education. *Procedure Manual E-8*).

**Figure 3.A**  
**State-accredited Teacher Preparation Institutions in Kentucky**



Source: Prepared by LRC staff.

### Accreditation Standards

There are six accreditation standards for teacher preparation units. The standards may be summarized as

1. content and pedagogical knowledge, skills, and character of teacher candidates;
2. a system to assess teacher candidate and educator preparation unit performance;
3. field experience and clinical practice of teacher candidates;
4. diversity of teacher candidates, faculty, and field experience;
5. qualifications, performance, and development of faculty; and
6. leadership, governance, and resources of the preparation unit (National Council. *Professional* 12-13).

### National Accreditation Is Optional

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National accreditation is optional. Of 28 teacher preparation units accredited by EPSB, 15 are nationally accredited.

In Kentucky, national accreditation is optional. Of 28 teacher preparation units accredited by EPSB, 15 are nationally accredited, including the 8 public universities in Kentucky. Table 3.1 lists the institutions whose teacher preparation unit is currently accredited by NCATE.



**Table 3.1**  
**Kentucky Teacher Preparation Institutions With National Accreditation**

| <b>Institution</b>          | <b>Expiration Date</b> | <b>Institution</b>           | <b>Expiration Date</b> |
|-----------------------------|------------------------|------------------------------|------------------------|
| Asbury College              | Spring 2015            | Murray State University      | Fall 2016              |
| Bellarmino University       | Fall 2012              | Northern Kentucky University | Spring 2011            |
| Berea College               | Spring 2012            | Spalding University          | Fall 2011              |
| Campbellsville University   | Fall 2012              | University of Kentucky       | Fall 2015              |
| Eastern Kentucky University | Fall 2010              | Transylvania University      | Spring 2014            |
| Georgetown College          | Fall 2013              | University of Louisville     | Fall 2016              |
| Kentucky State University   | Spring 2013            | Western Kentucky University  | Spring 2011            |
| Morehead State University   | Fall 2011              |                              |                        |

Source: National Council. "NCATE."

According to higher education officials, EPSB staff, and staff from accreditation agencies in other states, prestige was the most common explanation for seeking national accreditation. Other reasons included helping graduates of teacher preparation units gain acceptance into graduate programs or get teaching positions out of state.

Expenses related to obtaining national accreditation status range from \$6,000 to \$10,000, depending on the unit's size and number of programs.

Costs related to obtaining national accreditation can range from \$6,000 to \$10,000, depending on the unit's size and number of programs (March). National accreditation lasts for 7 years, pending unexpected and negative changes to the unit or program.

**State Accreditation by the Education Professional Standards Board Is Required**

All teacher preparation units—public and private—must be accredited by the Education Professional Standards Board.

All teacher preparation units—public and private—must be accredited by the Education Professional Standards Board. Accreditation can be initial or continuing. Initial accreditation occurs when an institution starts a teacher preparation unit. Continuing accreditation is for units already accredited by the Education Professional Standards Board that want to renew their accreditation. Once granted, units receiving an initial accreditation will be reevaluated in 5 years; for continuing accreditation it is 7 years.

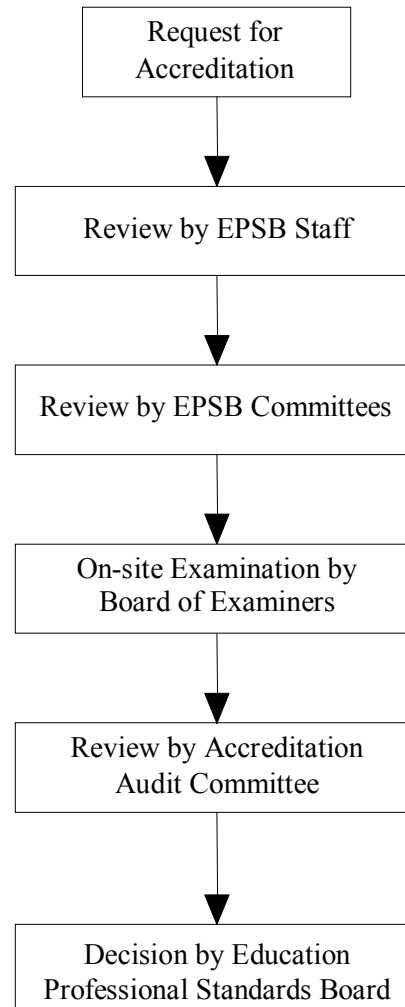
### Accreditation Process Is Lengthy and Complex

The accreditation process is lengthy and complex.

EPSB's accreditation procedures are lengthy and complex. It begins with the teacher preparation unit requesting to be accredited and ends with a decision by the Education Professional Standards Board about 2 years later. Appendix C provides a timeline for accreditation.

Figure 3.B describes, in general terms, the state accreditation process.

**Figure 3.B**  
**Overview of State Accreditation Process**  
**for Teacher Preparation Units**



Source: Program Review staff analysis.

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At the beginning of the state accreditation process, institutions submit various documents to EPSB. EPSB staff review these documents and provide a written review to two EPSB committees for their consideration.

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Accreditation is a peer review process conducted by five- to seven-member Board of Examiners teams composed of faculty from teacher preparation units, teachers, school and district administrators, representatives of policymaker groups, and others. All units seeking state-only accreditation are reviewed by teams with six members. Officials and staff from some teacher preparation units suggest that this is inequitable because smaller units may be more closely scrutinized than others.

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Recommendation 3.1 is that the Education Professional Standards Board should consider adjusting the number of Board of Examiners team members for state-only accreditation visits so that the number is based on the size of the unit and the number of programs to be evaluated.

**EPSB Staff and Committees.** At the beginning of the state accreditation process, institutions submit various documents to EPSB. These documents include program descriptions, continuous improvement plans, and evidence that eight preconditions to accreditation have been met. EPSB staff review these documents and provide a written review to two EPSB committees for their consideration.

**Board of Examiners Teams.** Accreditation is a peer review process. On-site accreditation visits are conducted by teams of five to seven people composed of faculty from teacher preparation units, teachers, school and district administrators, and representatives of policymaker groups and teaching constituencies (16 KAR 5:010(13)).

For units that only seek state accreditation, each Board of Examiners team has six members.<sup>2</sup> That means a teacher preparation unit with 300 teacher candidates and one with 30 teacher candidates would have the same number of team members. Officials and staff from some teacher preparation units suggest this is inequitable. Smaller units, they contend, should have relatively smaller peer review teams. Otherwise, smaller units may be more closely scrutinized than larger units. For national accreditation, NCATE aligns Board of Examiners team sizes according to the number of teacher candidates in a teacher preparation unit and the number of programs.

### Recommendation 3.1

**The Education Professional Standards Board should consider adjusting the number of Board of Examiners team members for state-only accreditation visits so that the number is based on the size of the unit and the number of programs to be evaluated.**

Board of Examiners members are recruited and appointed based on their professional background and their writing, evaluation, and analytic skills. Members receive comprehensive training conducted by NCATE or an NCATE-approved state program (16 KAR 5:010 (13)(3)). Training was suspended during 2009 because of budget cutbacks, but EPSB plans to resume training in 2010.

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<sup>2</sup> One Kentucky Education Association observer and one to two EPSB staff members also typically attend on-site accreditation visits.

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Board of Examiners teams typically include faculty or staff from other in-state teacher preparation units. Concerns exist that these teams may include members from institutions that are dissimilar to the unit being accredited.

Board of Examiners teams typically include faculty or staff from other in-state teacher preparation units. These teams are reviewed by the unit seeking accreditation. The unit may object to a particular team member if a conflict of interest is perceived (Commonwealth. Education. "Protocol" 3, 7). EPSB currently chooses teams from 50 individuals who have had Board of Examiners training.

For national accreditation, NCATE attempts "to ensure that the majority of the higher education representatives on a team are from institutions that are similar in type to the institution being visited" (National Council. *Professional* 83). Officials and staff from several Kentucky teacher preparation units expressed concern that state accreditation teams frequently did not include postsecondary team members from units similar to their own. Some officials also noted that Kentucky's accreditation teams frequently include members from other in-state teacher preparation units that may be viewed as competitors.

Other professions in Kentucky, including medicine, dentistry, nursing, and pharmacy, are only accredited by national organizations that use teams of reviewers from other states. This limits conflicts of interest and concerns that a unit's competitors are conducting the accreditation.

### Recommendation 3.2

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Recommendation 3.2 is that the Education Professional Standards Board should consider establishing guidelines to ensure that Board of Examiners teams are reasonably representative of the type of unit being evaluated.

**The Education Professional Standards Board should consider establishing guidelines to ensure that Board of Examiners teams are reasonably representative of the type of unit being evaluated.**

---

At the end of the on-site visit, the Board of Examiners team prepares a written report that includes findings of whether or not accreditation standards have been met.

On-site accreditation visits typically last 4 days. At the end of the visit, the Board of Examiners team prepares a written report and makes one of the following findings regarding the required accreditation standards:

- standards are met;
- standards are met, but there are one or more areas for improvement; or
- standards are not met.

The unit being accredited receives a draft copy of the report and may submit a reply to EPSB.

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The Accreditation Audit Committee reviews the Board of Examiners team's report, but may reach a different conclusion as to whether standards are met.

**Accreditation Audit Committee.** The Accreditation Audit Committee reviews the Board of Examiners team's report, any reply made by the unit being accredited, and makes a recommendation to the Education Professional Standards Board. The committee is not bound by the Board of Examiners team's findings and can reach a different conclusion about whether standards are met. According to EPSB staff, however, this is uncommon.

According to regulation, the Accreditation Audit Committee is composed of a lay member, two teachers, one public and one private postsecondary institution representative, and two school administrators. Accreditation Audit Committee members receive the same training as Board of Examiners members (16 KAR 5:010(19)).

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The Education Professional Standards Board makes the final accreditation decision; it is not bound by the Accreditation Audit Committee's recommendations or the Board of Examiners team's report.

**Education Professional Standards Board.** The Education Professional Standards Board makes the final accreditation decision. It is not bound by the Accreditation Audit Committee's recommendations or the Board of Examiners team's findings. The Education Professional Standards Board votes to

- accredit,
- provisionally accredit,
- deny, or
- revoke accreditation.<sup>3</sup>

Accreditation means that a unit has met all six standards. There may be, and usually are, areas for improvement that require the unit's attention. Units must report their progress in an annual report to the board.

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<sup>3</sup> Because new units receive temporary authority to admit teacher candidates, it is possible for accreditation to be revoked during initial accreditation.

Provisional accreditation means a unit has failed at least one standard. As a result, the unit must submit documentation that addresses the unmet standards within 6 months of the decision or have a focused visit on the unmet standards within 2 years.

A denial of accreditation means that a unit “did not meet one or more of the NCATE standards and has pervasive problems that limit its capacity to offer quality programs that adequately prepare candidates” (16 KAR 5:010(20)(3)(c)).

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Since 1990, two units have had their state accreditation revoked. One institution appealed this decision and has been reaccruited.

Revocation of accreditation indicates a failure of one or more NCATE standards.<sup>4</sup> Since 1990, two units had their accreditation revoked. One institution appealed this decision and has been reaccruited.

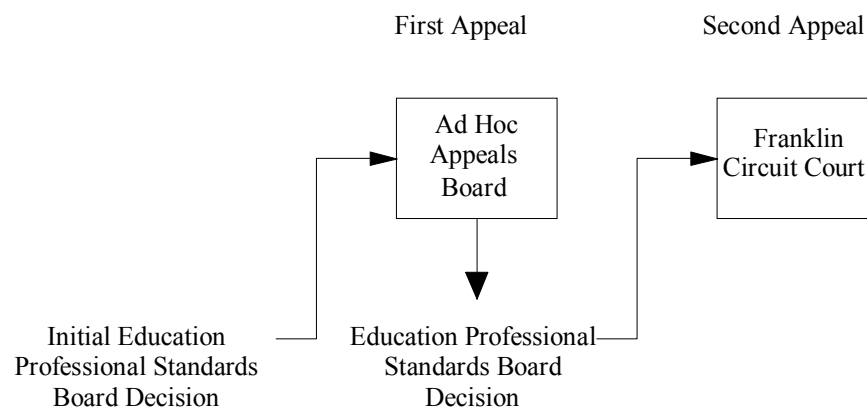
### Accreditation Appeals

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Units may appeal an Education Professional Standards Board decision to an ad hoc appeals board whose members are appointed by the board. The board then votes to accept or reject the ad hoc appeals board’s recommendation.

Units may appeal a board decision within 30 days based on any of three reasons: a standard was overlooked, a state procedure was not followed, or evidence of compliance at the time of the review and in favor of the unit was not considered. The appeals process is shown in Figure 3.C.

**Figure 3.C**  
**State Accreditation Appeals Process**



Source: Program Review staff analysis.

<sup>4</sup> Under regulation, failure to meet one standard can trigger negative alternatives, including revocation. In practice, however, institutions are allowed to fail two standards before negative options are triggered.

After the initial Education Professional Standards Board decision, an appeal is first heard by an ad hoc appeals board in accordance with KRS Chapter 13B. The Education Professional Standards Board chairperson appoints to the ad hoc appeals board at least three Board of Examiners members who were not involved in the initial on-site visit and who do not have a conflict of interest with the unit. At the ad hoc appeals board’s hearing, the Board of Examiners team and the unit being accredited may present information. Following discussion and consideration, the ad hoc appeals board makes a recommendation to the Education Professional Standards Board, which reviews the recommendation and votes to accept or reject its initial accreditation decision.

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An institution may appeal to the Franklin Circuit Court. This ruling may not be overturned by the Education Professional Standards Board.

If an institution does not agree with the second Education Professional Standards Board decision, it may appeal to the Franklin Circuit Court. A panel of three judges reviews the decision and makes a ruling that cannot be overturned by the Education Professional Standards Board.

### State Accreditation Costs

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Primarily due to recent EPSB budget reductions, institutions being reviewed will now bear state accreditation costs. EPSB staff report that similar boards in many other states also leave accreditation expenses to the institutions.

Until 2009, most state accreditation costs were paid by EPSB. Table 3.2 gives examples of the accreditation expenses EPSB incurred. Primarily due to recent EPSB budget reductions, institutions will now bear state accreditation costs. According to EPSB staff, similar boards in many other states also leave accreditation expenses to the institutions.

**Table 3.2**  
**Examples of EPSB Accreditation Expenses (For Visits Occurring 2002-2007)**

| <b>Institution and Visit Type</b>   | <b>Lodging</b> | <b>Meals</b> | <b>Travel</b> | <b>Total</b> |
|---|----------------|--------------|---------------|--------------|
| Georgetown College<br>Initial NCATE/State Accreditation                   | \$1,200        | \$480        | \$1,000       | \$2,680      |
| University of Kentucky<br>Joint State/NCATE Continuing Accreditation      | \$2,500        | \$600        | \$1,000       | \$4,100      |
| Mid-Continent College<br>State Continuing Accreditation                   | \$1,000        | \$550        | \$600         | \$2,150      |
| Western Kentucky University<br>Joint State/NCATE Continuing Accreditation | \$2,000        | \$800        | \$800         | \$3,600      |

Source: Education Professional Standards Board.

## Joint Accreditation

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When a unit seeks both state and national accreditation, EPSB and the National Council for Accreditation of Teacher Education (NCATE) schedule a joint site visit. Though unusual, NCATE and the Education Professional Standards Board can reach different accreditation decisions due to differences in how the standards are interpreted or the weight reviewers assign to elements within each standard.

When a unit seeks both state and national accreditation, EPSB and NCATE schedule a joint site visit. Such visits are made by a state team, which is called the Board of Examiners, and NCATE reviewers. For joint visits, the number of members of the Board of Examiners depends on the size of the unit and number of programs.

It rarely happens, but NCATE and the Education Professional Standards Board can reach different accreditation decisions. For example, one may accredit a unit without conditions, while the other may impose conditions. Such differences can arise due to how accreditation standards are interpreted or the weight reviewers assign to elements within each standard.

## Other States

Program Review staff examined accreditation processes in Alaska, Arkansas, California, Georgia, Iowa, Indiana, North Carolina, Oregon, Tennessee, and West Virginia. These states either have independent boards or are contiguous to Kentucky. Staff determined that each state requires institutional reports that document programs and show how standards are being met. Each state also requires annual reports, has on-site visits to inspect programs, has a multilevel reviewer process, and has accreditation visits at least every 5 years.

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In a review of other states, staff determined states differ in some accreditation requirements. For example, three states require national accreditation, and one accepts national accreditation in lieu of state accreditation.

Each state has primary authority to approve teacher preparation units within its state. Some states, however, give national accreditation bodies the ability to make accreditation decisions about in-state units. Georgia, for example, accepts NCATE accreditation in lieu of state accreditation; Arkansas, Alaska, and North Carolina require NCATE accreditation; and Iowa and Oregon created their own accreditation standards.

Board of Examiners team sizes vary. Tennessee, for example, bases team size on unit size, number of programs, and the program's scope and level. NCATE uses similar criteria.

Level of flexibility also varies. In Oregon, when a teacher preparation unit fails to meet a standard, the unit is allowed to propose solutions before the commission that accredits teachers considers the report. The accreditation agency director can also make recommendations.



## Chapter 4

### Certification

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EPSB's Division of Certification is responsible for issuing and renewing teaching certificates.

EPSB's Division of Certification is responsible for issuing and renewing teaching certificates. According to EPSB staff, the division processes approximately 28,000 certificate transactions annually. The division also maintains a database designed to ensure that teachers are only teaching grade levels and subjects for which they are certified. The division also oversees alternative certification routes.

The federal No Child Left Behind Act requires states to ensure that all teachers are "highly qualified," which means they must have a bachelor's degree, full state certification or licensure, and prove that they know each subject they teach. As of spring 2008, 98.5 percent of all courses in Kentucky were taught by highly qualified teachers (Commonwealth. Education. "Highly").

This chapter begins with an overview of traditional and alternative routes to certification and includes a summary of how other states certify teachers. A description of the disciplinary process related to teachers concludes the chapter.

#### Six Certificate Types

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Kentucky's public school teachers must hold a teaching certificate granted by EPSB. There are six types of certificates.

Kentucky public school teachers must hold a teaching certificate granted by EPSB. There are six types of certificates. The most common is a base certificate. The remaining types of certificates are provisional; conditional; emergency; probationary; and temporary provisional, which is a type of alternative certification.

#### 1. Base Certificates

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1. Base certificates, which are held by most public school teachers in Kentucky, are typically earned by those who complete a teacher preparation program and an internship.

Most public school teachers in Kentucky hold base certificates. Typically, teachers earn base certificates after completing a teacher preparation program and an internship program. Base certificates are issued for 5 years. To renew a base certificate, teachers must begin working toward a master's degree within the first 5 years and must complete a master's degree program within 10 years of initial certification. Thereafter, base certificates are renewable with 3 years of experience every 5 years.<sup>1</sup>

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<sup>1</sup> Some existing teachers have lifetime certificates that do not expire. Previous teacher certification guidelines allowed these types of certificates, and those teachers were grandfathered in when the guidelines changed.

The base certificate types are

- interdisciplinary early childhood education (birth through primary),
- elementary education (primary through grade 5),
- middle school (grades 5 through 9),
- secondary school (grades 8 through 12),
- middle/secondary school (grades 5 through 12),
- elementary/middle/secondary school (primary through grade 12), and
- exceptional children (primary through grade 12).

**Restricted Base Certificates.** Limited numbers of teachers pursue restricted base certificates. These certificates are similar to base certificates, except that teachers are limited to particular subject areas that they can teach.

The restricted base certificate types are

- computer information systems (primary through grade 12),
- dance (primary through grade 12),
- English as a second language (primary through grade 12),
- theatre (primary through grade 12),
- journalism (grades 8 through 12),
- psychology (grades 8 through 12),
- sociology (grades 8 through 12), and
- speech/media communication (grades 8 through 12).

## 2. Provisional Certificates

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2. Provisional certificates are granted to those who have successfully passed the assessments but have not completed other requirements for a base certificate.

Provisional certificates are granted to those who have successfully passed content and pedagogical assessments but have not completed all other requirements for a base certificate. Provisional certificates are issued for 1 year.

## 3. Conditional Certificates

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3. Conditional certificates are granted to those who complete the teacher preparation program but do not pass the assessments.

Conditional certificates may be granted to those who complete the teacher preparation program but do not pass the content or pedagogical assessments. A local school district must agree to work with the teacher candidate while he or she retakes the failed assessment.

#### 4. Emergency Certificates

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4. Emergency certificates are granted to those who are not otherwise certified to teach. The number of these certificates declined from 1,807 during the 2001-2002 school year to 464 during the 2008-2009 school year.

Emergency certificates are granted in limited circumstances to those who are not otherwise certified to teach. These certificates are valid for 1 year. According to EPSB staff, the number of emergency teaching certificates declined from 1,807 during the 2001-2002 school year to 464 during the 2008-2009 school year.

#### 5. Probationary Certificates

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5. Probationary certificates are granted to those wishing to teach outside of their current certification area.

Probationary certificates are granted to certified teachers to teach a particular subject or grade level outside their current certification if the teacher is actively enrolled in a teacher preparation program at a postsecondary institution for the new certificate area. Approximately 200 to 300 probationary certificates are granted each school year.

#### 6. Temporary Provisional Certificates: Alternative Certification

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6. Temporary provisional certificates are gained through alternative certification routes. Since the 2001-2002 school year, the percentage of teachers with this certificate has increased from less than 1 percent to 4 percent.

Temporary provisional certificates are gained through one of seven alternative certification routes. Each route allows a person with a baccalaureate degree or higher and certain other characteristics, such as exceptional work experience or military service, to pursue a teaching certificate. Almost all temporary provisional certificates are earned by candidates enrolled in a postbaccalaureate teacher preparation program while teaching in a local school district. Appendix D describes the alternative certification routes in more detail.

The percentage of all Kentucky public school teachers who were teaching with a temporary provisional certificate rose from less than 1 percent during the 2001-2002 school year to 5 percent by the 2006-2007 school year. The percentage dipped to 4 percent in the 2008-2009 school year.

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Two alternative teacher certification options are partially funded by KDE but overseen by EPSB: the Alternative Certification Elementary and Secondary program and Transition to Teaching.

**KDE Alternative Certification Options.** Two alternative teacher certification options are partially funded by KDE but overseen by EPSB: the Alternative Certification Elementary and Secondary (ACES) program and Transition to Teaching.

ACES is specific to the Jefferson County School District. Adults with a bachelor's degree may enter the program and become certified teachers within 18 months. From 1991 through 2007, 151 teachers were certified under the ACES program (Jefferson).

Transition to Teaching is a federally funded program that attempts to alleviate critical teacher shortages in particular parts of the state. Campbellsville University, as of spring 2009, offered the only Transition to Teaching program in Kentucky. According to KDE staff, approximately 17 to 20 teacher candidates are admitted to the program each year. Approximately 74 candidates have completed the program to date.

### **Analysis of Emergency, Probationary, and Temporary Provisional Certificates**

For each school year from 2004-2005 to 2008-2009, 2,775 public school teachers, on average, held a temporary provisional, emergency, or probationary certificate.<sup>2</sup> Of this number, 62 percent held temporary provisional certificates, 30 percent held emergency certificates, and 8 percent held probationary certificates. The most common content areas were learning and behavior disabilities (40 percent), math (8 percent), and English (6 percent).

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In most districts, fewer than 10 percent of teachers held an emergency, probationary, or temporary provisional certificate, but in 24 districts at least 10 percent of teachers did.

In most districts, fewer than 10 percent of teachers held a temporary provisional, emergency, or probationary certificate. In 24 districts, at least 10 percent of teachers held one of these types of certificates.

### **Reciprocity**

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Teachers who have earned a teaching certificate in another state may be eligible to receive a Kentucky teaching certificate.

Teachers who have earned a teaching certificate in another state may be eligible to receive a Kentucky teaching certificate. Cases are evaluated on an individual basis. According to EPSB staff, evaluations are intended to ensure that out-of-state teachers meet Kentucky teaching standards. Depending on the applying teacher's experience, completion of Kentucky's teacher internship program may be required.

### **National Board-certified Teachers**

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National Board Certification is an optional certification offered through the National Board for Professional Teaching Standards.

National Board Certification is an optional certification offered through the National Board for Professional Teaching Standards. Teachers who achieve National Board Certification have met specific standards through study, evaluation, self-assessment and peer review (National Board). A recent congressionally mandated report found that National Board Certification has a positive effect on student achievement (Hakel).

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<sup>2</sup> This excludes administrators, directors of pupil personnel, directors of special education, guidance counselors, and Junior ROTC certificate holders.

According to EPSB staff, Kentucky ranks 15<sup>th</sup> in the nation for the number of National Board-certified teachers and 5<sup>th</sup> on a per capita basis. State statute permits school districts to add \$2,000 to the base salary of any teacher achieving National Board Certification for the life of the certificate (KRS 157.395).

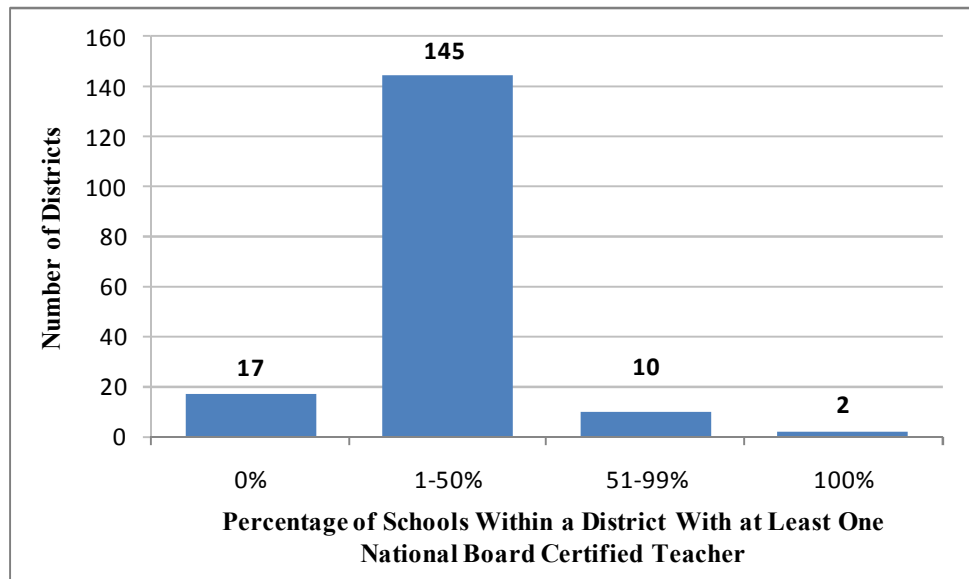
According to EPSB staff, 30 percent to 35 percent of applicants across the country earn certification; 50 percent to 55 percent of Kentucky applicants earn certification, however.

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In 2000, the General Assembly set a goal for every public school in Kentucky to have at least one National Board-certified teacher by 2020. As of the 2008-2009 school year, 12 school districts have more than one-half of their schools meeting the goal.

In 2000, the General Assembly set a goal for every public school in Kentucky to have at least one National Board-certified teacher by 2020 (KRS161.131(2)). Currently, 2 districts have met the legislative goal, and 10 districts have more than half of their schools meeting the goal. Seventeen districts have no schools meeting the goal. Figure 4.A summarizes this information.

**Figure 4.A**  
**Districts' Progress Toward Meeting Legislative Goal of At Least One National Board-certified Teacher in Every School by 2020 as of School Year 2008-2009**



Source: Program Review staff analysis of EPSB data (Commonwealth. Education. "National").

## Character and Fitness

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Character and fitness reviews are used to identify applicants who may be unsuitable to be around children. Of 20,000 certification applications in 2008, 220 had questionable character and fitness responses.

To become a certified teacher in Kentucky, persons must apply to EPSB. Applicants fill out a form and answer six character and fitness questions pertaining to past criminal convictions and professional disciplinary actions. Appendix E shows the application forms applicants must complete. This self-reported information is used to identify applicants who may be unsuitable to be around children. Of 20,000 certification applications in 2008, 220 had questionable character and fitness responses and were brought before the board for review under KRS Chapter 13B.

The board considers

the nature of the offense, if any children or minors were involved, if any violence or drugs were involved, how long ago the event occurred, the age of the applicant at the time of the offense, and if any terms of a sentence or probation were fulfilled (Commonwealth. Education. *Procedure E-6*).

It then votes to approve the certificate application, deny the certificate application, or request additional information.

Applicants are notified by letter of the decision and may appeal. An appeal is held before the board, a panel of three members of the board, or a person appointed as hearing officer. The board makes the final decision, but applicants may appeal to the Franklin Circuit Court. According to EPSB staff, approximately 10 certification applications are denied each year, of which 2 or 3 are appealed to court.

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Local school districts are required by statute to perform criminal background checks before hiring a teacher.

EPSB staff also check applications against a national database that contains information about teachers whose certificates were suspended, revoked, or denied in another state. Local school districts are required by KRS 160.380(4) to perform state and federal background checks before hiring a teacher.

## Complaints Against Teachers

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EPSB's Legal Services Division handles all complaints against teachers.

Disciplinary actions against teachers are handled by EPSB's Legal Services Division. Appendix F displays the teacher disciplinary process in detail.

## Problems Tracking Complaints Against Teachers

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EPSB staff could not accurately report the number of disciplinary complaints it has received, the number of open cases, or the number of closed cases.

EPSB staff could not accurately report the number of disciplinary complaints it has received, the number of open cases, or the number of closed cases related to teachers. During the course of this study, for example, EPSB staff reported different numbers of open cases that ranged from 300 to 600. According to EPSB staff, difficulties stem, in part, from the implementation of an electronic tracking system, which began in 2007. Miscommunication among EPSB staff and a lack of procedures describing how complaints and cases should be tracked also contributed to the problem.

According to EPSB staff, a paper system is currently the primary means for tracking and managing disciplinary cases. By nature, the paper tracking system is slower than a fully functioning electronic system would be and may not be able to provide timely and complete information about the numbers and dispositions of disciplinary complaints and cases.

The fact that EPSB is unable to precisely monitor and track disciplinary cases and complaints raises serious concerns. For example, EPSB staff may not be able to fully account for cases and may not be reviewing and processing all complaints in a timely manner. While EPSB staff expressed confidence that their paper tracking system could avoid such problems, an electronic system would be a more efficient and reliable means to monitor and track complaints and cases.

### Recommendation 4.1

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Recommendation 4.1 is that the board should finalize implementation of an electronic tracking system to accurately monitor complaints and cases against teachers, including how these complaints and cases are resolved.

**The Education Professional Standards Board should finalize implementation of an electronic tracking system to accurately monitor complaints and cases against teachers, including how the complaints and cases are resolved.**

### Recommendation 4.2

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Recommendation 4.2 is that the board should develop procedures describing how information will be entered into its electronic disciplinary tracking database and provide training to staff on the use of that database.

**The Education Professional Standards Board should develop procedures describing how information will be entered into its electronic disciplinary tracking database and provide training to staff on the use of that database.**

## Filing of Complaints to EPSB

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Anyone can file a complaint against a teacher. However, 90 percent of complaints are provided by superintendents.

Anyone can file a complaint against a teacher. EPSB receives complaints against teachers from superintendents, the Department of Education, the Legislative Research Commission's Office of Education Accountability, the Cabinet for Health and Family Services, parents, the media, and others.

Table 4.1 displays disciplinary complaints against teachers by source. Approximately 90 percent of complaints against teachers are provided by superintendents.

**Table 4.1**  
**Disciplinary Complaints Filed Against Teachers by Source**  
**2006 to 2008**

| Source         | Number | Percentage |
|----------------|--------|------------|
| Superintendent | 1,366  | 90%        |
| Parent         | 42     | 3%         |
| Anonymous      | 29     | 2%         |
| Other          | 84     | 5%         |
| Total          | 1,521  | 100%       |

Source: Program Review staff analysis of data provided by EPSB.

One reason that superintendents reported the most complaints is because KRS 161.120(2)(a) requires them to report all complaints they receive. The Kentucky Association of School Administrators and EPSB staffs also advise superintendents to report every misconduct complaint because failing to report a complaint could result in disciplinary action against the superintendent's certificate.

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Based on data provided by EPSB staff, approximately 4 percent of school districts had more than 10 complaints forwarded by superintendents over a 3-year period; approximately 25 percent of districts did not have any complaints forwarded.

EPSB staff provided data that detail complaints against teachers submitted by superintendents for the past 3 years. Approximately 4 percent of school districts had more than 10 complaints forwarded by superintendents; approximately 25 percent of school districts did not forward any complaints.

EPSB staff suspect that some superintendents may not report every incident of teacher misconduct. According to staff, some superintendents may handle complaints internally; others may believe that a complaint does not rise to the level warranting EPSB notification.



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EPSB does not require or have available a standard form for complaints against teachers. As a result, complaints are submitted to EPSB by e-mail, phone, or letter and may not provide key information such as the name of the teacher or district.

EPSB does not require or have available a standard form for complaints against teachers. As a result, complaints are submitted to EPSB by e-mail, phone, or letter. Complaints contain different amounts of information. According to EPSB staff, some complaints provide a full description of the alleged misconduct; others only include a sentence or two. Although uncommon, some complaints fail to include the name of the teacher or district.

### Recommendation 4.3

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Recommendation 4.3 is that the board should develop a standard form for filing complaints against teachers and should make that form available electronically.

**The Education Professional Standards Board should develop a standard form for filing complaints against teachers and should make that form available electronically.**

### Review of Complaints by EPSB Staff

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An EPSB attorney reviews every complaint and opens cases for those that may be violations of state statute, administrative regulation, or the professional code of ethics.

The board does not review every complaint filed against teachers. Instead, an EPSB attorney reviews complaints and forwards to the board those that may be violations of state statute, administrative regulation, or the professional code of ethics for certified personnel. Complaints not forwarded to the board remain on file and may be considered if future complaints against the same teacher are made. Appendix G contains the professional code of ethics.

Some types of misconduct are clearly identified, but others are not. As a result, EPSB staff appear to exercise some discretion in determining which complaints will become open cases and forwarded to the board and which will not be forwarded to the board.

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Of all complaints against teachers, EPSB staff forwarded 51 percent to the board in 2007; that number dropped to 37 percent in 2008.

Table 4.2 shows that EPSB staff forwarded 51 percent of all complaints filed against teachers in 2007; that number dropped to 37 percent in 2008.<sup>3</sup>

**Table 4.2**  
**Number and Percentage of Complaints Against Teachers Forwarded to the Board by EPSB Staff, 2007 and 2008**

| Complaints                 | 2007 | 2008 |
|----------------------------|------|------|
| Total Number of Complaints | 534  | 638  |
| Number Forwarded by Staff  | 275  | 237  |
| Percent Forwarded          | 51%  | 37%  |

Source: Program Review staff analysis of EPSB data.

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<sup>3</sup> Complaints forwarded were figured by subtracting the data with case numbers from complaints received in that year. Data were provided by EPSB.

In at least one state, the education standards board created a subcommittee to review all complaints against teachers. Consequently, at least some board members see and review every complaint. The Kentucky Board of Pharmacy uses a similar complaint review process.

#### Recommendation 4.4

Recommendation 4.4 is that the board should consider establishing a disciplinary case review committee composed of board members, and possibly staff, to review all complaints and determine which ones should be forwarded to the entire board.

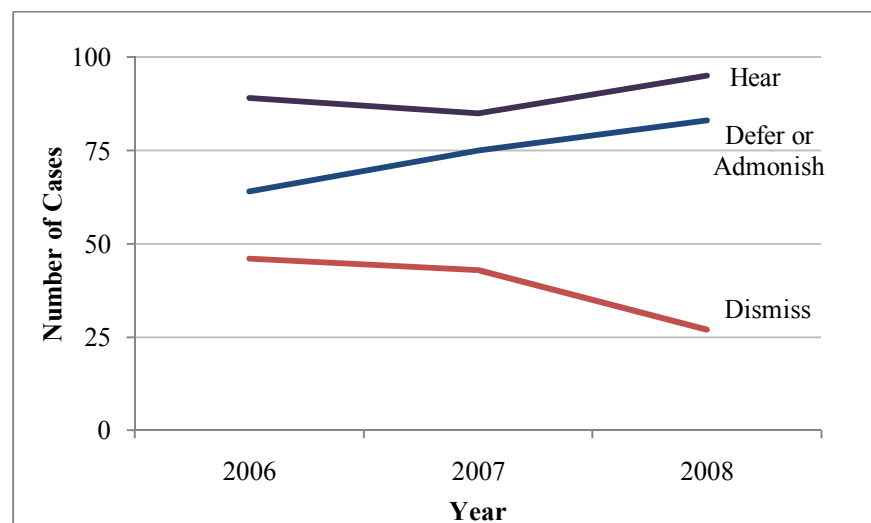
**The Education Professional Standards Board should consider establishing a disciplinary case review committee composed of board members, and possibly staff, to review all complaints and determine which ones should be forwarded to the entire board.**

#### Decisions by the Board

For each disciplinary case presented to the board, the board votes to dismiss, defer for training, admonish, or refer to hearing.

Based on data provided by EPSB staff, Figure 4.B shows board decisions for the last 3 years. For each disciplinary case presented to the board, it votes to dismiss, defer for training, admonish, or refer to hearing. During this 3-year period, the number of cases that were dismissed decreased by one-half, while actions to hear and defer or admonish increased.

**Figure 4.B**  
**Actions Taken by the Education Professional Standards Board on Disciplinary Cases 2006 to 2008**



Source: Program Review staff analysis of data provided by EPSB.

Cases may be dismissed for insufficient evidence or lack of credibility or for being outside EPSB's jurisdiction. Approximately 10 percent of cases are dismissed by the board.<sup>4</sup>

Deferral for training allows the educator to participate in remedial training such as anger management or ethics. If the educator presents documentation that proves the training was completed, the case is dismissed. The complaint remains in the teacher's file.

A ruling to admonish is made when evidence presented to the board proves that misconduct occurred but was not severe enough to warrant further disciplinary action that would affect certification. According to EPSB staff, these offenses can range from driving under the influence to using a curse word in class. The board issues a written reprimand to the educator and provides a copy to the teacher's superintendent. The complaint remains in the teacher's file.

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The board may vote to hear a case in accordance with KRS Chapter 13B. EPSB's chief legal counsel presents information and a recommendation to the board for final ruling. The board then votes to dismiss or admonish, suspend, or revoke the teacher's certificate.

The board may vote to hear a case in accordance with KRS Chapter 13B. EPSB's chief legal counsel presents information and a recommendation to the board for final ruling. The board then votes to dismiss or admonish, suspend, or revoke the teacher's certificate.

Suspensions and revocations are uncommon. Approximately 20 certificates are suspended annually according to EPSB staff. Suspensions last as long as 2 years. Revocation means the immediate loss of a teacher's certificate, but the board may allow an educator to reapply for a teaching certificate in the future. EPSB staff reported that 20 certificates were revoked in 2008.

An educator dissatisfied with the board's decision may appeal to the Franklin Circuit Court. Decisions made by the court cannot be set aside by the board.

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<sup>4</sup> The board may reopen a dismissed or unopened case if more information becomes available in the future. Even if a case is dismissed, the original complaint remains in the teacher's file.

### **Length of Time To Resolve Cases**

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Disciplinary cases typically take 2 years to be resolved, but some appear to take considerably longer.

According to EPSB staff, disciplinary cases typically take 2 years to be resolved. Some cases may remain open longer as staff wait for the completion of an associated criminal case. According to data provided by EPSB staff, 31 cases from 1993 to 2003 are currently open. An additional 328 cases remain open from the 2004 to 2007 period. These may include cases under investigation as well as resolved cases that are awaiting the end of probationary conditions.

## Chapter 5

### Assessments and Internships

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EPSB's Division of Professional Learning and Assessment administers the Kentucky Teacher Internship Program (KTIP) and assessments required for teacher certification.

EPSB's Division of Professional Learning and Assessment administers assessments required for teacher certification. The division also administers the state's teacher internship program, KTIP, which was established in 1985.

This chapter begins by describing teacher assessments, including the process by which EPSB determines passing scores and the percentages of test-takers that pass. A summary of the Kentucky Teacher Internship Program follows, including a description of recent funding reductions. The chapter concludes with a discussion of professional development.

#### Assessments

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Kentucky uses assessments, known as Praxis II, to measure a teacher candidate's general and content-specific knowledge and teaching skills.

For certification, teachers are required to take and pass content area and pedagogical assessments.<sup>1</sup> Kentucky uses assessments known as Praxis II tests, which are designed by the Educational Testing Service, a nonprofit organization.

#### Praxis II

Teachers take Praxis II tests based on their training and the subjects they want to teach. For the 2006-2007 school year, teachers took 104 different Praxis II tests in Kentucky (Commonwealth. Education. "KEPP Report Card, Praxis II"). Some examples are

- Principles of Learning & Teaching: Grades K-6;
- English Language, Literature, & Composition: Content Knowledge; and
- Education of Exceptional Students: Core Content Knowledge.

EPSB staff work to ensure that teacher content tests are in alignment with Kentucky's teacher standards. They bring academics, practitioners, and Educational Testing Service staff together to discuss alignment and to review tests questions. The

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<sup>1</sup> This applies to those following a traditional certification route and to those with a probationary certificate or who are pursuing an alternative certification route.

Education Professional Standards Board decides whether to use a particular test.

The board also establishes cut scores for each test. Cut scores are the minimum passing mark and must be in line with scores of other Southern Regional Education Board states. Cut scores generally fall between the 15<sup>th</sup> and 25<sup>th</sup> percentile. This means, based on previous test results, that 15 percent to 25 percent of all students taking a particular test, all else equal, will not pass and 75 percent to 85 percent of students will pass. At least 90 percent of Kentucky test-takers typically pass these assessments. Table 5.1 reflects the highest and lowest pass rates based by content area on candidates' scores.<sup>2</sup>

**Table 5.1**  
**Praxis II Tests With Highest and Lowest Pass Rates, 2006-2007 School Year**

| <b>Content Area</b>                                   | <b>Pass Rate</b> |
|---|------------------|
| <b>Highest Pass Rates</b>                             |                  |
| Biology: Content Knowledge                            | 100%             |
| Business Education                                    | 100%             |
| Mathematics: Content Knowledge                        | 100%             |
| Physical Education: Movement Forms                    | 100%             |
| Spanish: Content Knowledge                            | 100%             |
| <b>Lowest Pass Rates</b>                              |                  |
| Health Education                                      | 89%              |
| Music: Concepts & Processes                           | 91%              |
| Art Making  | 91%              |
| English Language, Literature, and Composition: Essays | 91%              |
| Middle School Social Studies                          | 94%              |
| Music: Content Knowledge                              | 94%              |

Source: Program Review staff analysis of data provided by EPSB (Commonwealth Education. "KEPP Report Card, Praxis II").

The board reexamines cut scores every year, according to EPSB staff. Before setting or changing cut scores, the board considers the impact a change may have on different demographic groups. If a negative effect is anticipated, the board may not change the cut score.

Cut scores can impact postsecondary teacher preparation programs. Accreditation requirements mandate that at least 80 percent of students from a postsecondary teacher preparation program pass

<sup>2</sup> Teacher candidates may retake Praxis II assessments. EPSB computes pass rates based on the candidate's highest score.

the Praxis II assessment during a year. If not, EPSB sends the unit a letter stating that the program may need to be reviewed.<sup>3</sup> If less than 80 percent of students pass a particular test 2 years in a row, EPSB sends a group to the school to evaluate the program.

Passing test scores are generally not required to earn a teaching degree in Kentucky, but they are required for entry into the teacher internship program and to receive a base certificate. Those who fail their assessments may be eligible for a 1-year conditional certificate if a school district agrees to provide technical assistance and mentoring (KRS 161.030).

### **Other States**

Based on Program Review staff analysis of Kentucky's neighboring states, six of seven required Praxis tests as part of the certification process. Each state establishes its own cut scores.

### **Kentucky Teacher Internship Program**

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Through KTIP, eligible teacher candidates are mentored and evaluated by a committee consisting of a principal, resource teacher, and teacher educator.

As part of the certification process, most new teachers must successfully complete the 1-year Kentucky Teacher Internship Program (KTIP). Eligible teacher candidates are mentored and evaluated by a three-person committee consisting of a principal, resource teacher, and teacher educator. Resource teachers are the in-school mentors and are current classroom teachers. Teacher educators are generally faculty members from accredited teacher preparation programs in the state. The internship committee determines whether an intern successfully completes or fails KTIP.

Although most interns successfully complete KTIP, 30 to 35 fail each year.<sup>4</sup> Interns may fail for any number of reasons, but problems with classroom management are the most common. Interns who fail may reattempt KTIP. If an intern fails twice and is not granted a waiver through an appeal, the intern cannot become certified in Kentucky.

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<sup>3</sup> For programs with fewer than 10 students, EPSB averages test results over a 3-year period.

<sup>4</sup> According to EPSB staff, an additional 11 to 15 interns voluntarily resign from KTIP each year for reasons such as family obligations, relocation out of state, or health.

## Appeal Process for Interns

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An internship committee determines whether an intern successfully completes or fails KTIP. Interns that fail may appeal to a separate committee composed of a teacher, principal, teacher educator, and a designee of the EPSB director. Subsequent appeals are possible.

Interns who fail KTIP may appeal to a separate committee composed of a teacher, principal, teacher educator, and a designee of the EPSB director (16 KAR 7:010 (8.2)). This appeals committee uses a checklist to make sure that the internship committee and the intern properly followed procedures. It also reviews all documentation from the internship committee, the written appeal by the candidate, and other documents. The appeals committee also considers the degree of support provided by the internship committee and the intern's professional growth plan. The latter is meant to determine whether the intern committee consistently identified an intern's problem areas.

Decisions by the appeals committee are presented by EPSB's chief legal counsel to the board. The board makes one of three decisions: accept the internship committee's decision; overturn the internship committee's decision; or nullify the internship, which gives the intern another 2 years to complete KTIP.

Subsequent appeals are possible. After the board makes a ruling, an intern may request a hearing in accordance with KRS Chapter 13B. A hearing officer from the Office of the Attorney General conducts the hearing and makes a recommendation to the board, which then issues a final ruling.

EPSB staff stated that there are about 15 KTIP appeals each year. Of all appeals, only four have had a hearing since 1990. The appeals take approximately 1 year to complete and are handled by an outside law firm.

### How KTIP Is Funded

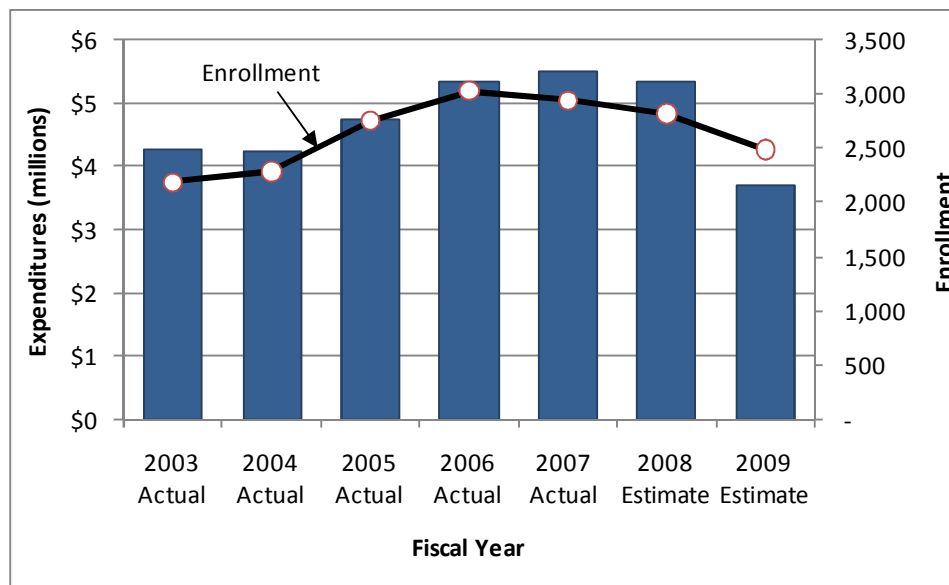
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KTIP is primarily funded by the state. In recent years, appropriations and expenditures have declined.

Kentucky's teacher internship program is primarily funded by the state. In recent years, KTIP appropriations and expenditures have declined. Figure 5.A shows KTIP expenditures and enrollment from FY 2003 to FY 2009.



**Figure 5.A**  
**Kentucky Teacher Internship Program Expenditures**  
**and Enrollment for Fiscal Year 2003 to Fiscal Year 2009**



Source: Compiled by Program Review staff based on data provided by EPSB.

There are three primary expenditure components to KTIP: resource teachers, teacher educators, and public university administrative costs. Expenditures for resource teachers generally account for about 75 percent of total KTIP costs. Teacher educators’ pay and public university administrative costs account for the remaining 25 percent of KTIP expenditures.

Resource teachers are in-school mentors. They regularly observe, meet, and assist their assigned interns. Resource teachers receive an annual stipend for each intern they mentor (16 KAR 7:010).

Teacher educators are generally university faculty members, both private and public, but may be recently retired faculty members or local school district staff.<sup>5</sup> They observe interns, review lesson plans, and report on interns’ progress. Teacher educators are selected and paid by Kentucky’s eight public postsecondary institutions. Though many are paid \$50 per visit, some are paid slightly more or less. Each public university establishes its own compensation amount.

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Public universities incur administrative costs related to providing and overseeing teacher educators who serve on teacher internship committees.

Public universities incur administrative costs related to providing and overseeing teacher educators who serve on teacher internship committees. Each university contracts with EPSB for the

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<sup>5</sup> According to EPSB staff, 208 teacher educators for FY 2009 were provided by local school districts.

reimbursement of at least a portion of these costs. Contracts specify certain terms and conditions, including reporting requirements and the maximum reimbursement amount.

As a result of declining KTIP appropriations, EPSB had to delay for 1 year the entry of 208 teacher candidates into KTIP.

**Impact of Funding Reductions.** As a result of declining KTIP appropriations, EPSB had to delay for 1 year the entry of 208 teacher candidates into KTIP during the spring of 2009. According to EPSB staff, entry was delayed based on when KTIP applications were received. Those affected attended teacher preparation programs across the state.

EPSB staff, academic faculty, teacher organizations, and others interviewed by Program Review staff expressed concern about these delays. Most notable was the expected negative impact the delay would have on teacher development and student achievement. Those whose entry into KTIP was delayed received a 1-year provisional certificate to teach, but they will not benefit from the training and mentoring associated with KTIP.<sup>6</sup> Some concern also exists that KTIP could develop a backlog.

EPSB reduced university contract amounts by more than 60 percent in FY 2009. To offset these reductions, some public universities appropriated other funds from within their department or college of education.

Declining appropriations also reduced KTIP contract budget allotments in FY 2009 by more than 60 percent from the \$1.2 million allotted in FY 2008. Table 5.2 shows the KTIP contract amounts for each of the eight public universities.

**Table 5.2**  
**KTIP Contract Amounts Per Postsecondary Institution**  
**School Year 2006-2007 to School Year 2008-2009**

| University               | School Year |             |           |
|--------------------------|-------------|-------------|-----------|
|                          | 2006-2007   | 2007-2008   | 2008-2009 |
| Eastern Kentucky         | \$198,611   | \$198,611   | \$45,267  |
| Kentucky State           | 58,503      | 58,503      | 20,616    |
| Morehead State           | 150,989     | 150,989     | 41,143    |
| Murray State             | 120,495     | 120,495     | 45,323    |
| Northern Kentucky        | 126,574     | 126,574     | 43,687    |
| University of Kentucky   | 192,066     | 192,066     | 65,185    |
| University of Louisville | 222,187     | 222,187     | 81,109    |
| Western Kentucky         | 211,960     | 211,960     | 87,667    |
| Total                    | \$1,281,385 | \$1,281,385 | \$429,997 |

Source: Abshire.

<sup>6</sup> EPSB staff said that some school districts provide professional support for teacher candidates who were delayed entry into KTIP.

Various actions have been taken to offset these reductions, according to EPSB staff. For example, some public universities appropriated other funds from within their department or college of education; some universities reduced teacher educator reimbursements and the number of internship visits teacher educators could make; some teacher educators volunteered to work without pay; and some school districts picked up a portion of teacher educators' costs.

EPSB has also responded to the reductions in funding. At its May 2009 meeting, the board reduced the resource teacher stipend from \$1,400 to \$1,250. According to EPSB staff, this change will decrease annual KTIP expenditures by \$360,600. EPSB may also reduce the number of internship committee meetings required, which would further reduce KTIP expenditures.

### **Other States**

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Many states require teachers to complete an internship program.

Many states require teachers to complete an internship program. Practices vary by state, but every program requires teachers to complete some amount of classroom training and mentoring. These programs are especially common among alternative certification programs (Feistritzer).

### **Effectiveness**

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Little is known of the effectiveness of teacher induction programs.

Overall, little is known of the effectiveness of teacher induction programs, which encompass teacher internship as well as other training activities. An ongoing study by a national policy research organization suggests that induction programs may provide some benefits, but improvements to student achievement were not immediately evident. Teacher experience appears to matter more (Glazerman).

Numerous teachers, administrators, and faculty in Kentucky support and praise Kentucky's internship program. Many noted the benefits of a 1-year training program, particularly in acquiring classroom management skills. Staff from organizations outside Kentucky frequently expressed similar opinions about Kentucky's internship program.

## Professional Development

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Professional development is independent of certification in Kentucky, but in other states it is linked to certification and required to renew a teaching certificate.

According to KDE staff, in many other states, professional development is linked to certification and is required to renew a teaching certificate. Professional development, however, is independent of certification in Kentucky. It is largely left to local school councils that are required by KRS 158.070 to provide 4 professional development days each school year. Staff from the Department of Education have formal oversight of professional development but acknowledge having relatively limited influence.

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Recent task forces in Kentucky have concluded that professional development should be improved, mirroring national and academic reports.

Recent task forces in Kentucky have concluded that professional development should be improved (Commonwealth. Legislative). Those findings appear to mirror national and academic reports that concluded that quality teacher professional development is generally lacking. Staff and officials interviewed by Program Review staff frequently expressed similar concerns about the value and effectiveness of teacher professional development in Kentucky. According to EPSB staff, the agency, if given the responsibility, would attempt to track professional development spending and performance.

### Recommendation 5.1

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Recommendation 5.1 is that EPSB, in collaboration with KDE and CPE, should present a plan to the Program Review and Investigations Committee by Oct. 1, 2010, for tracking the quality of teacher professional development. The plan may include moving oversight of teacher professional development to EPSB for the purpose of linking professional development to certification.

**In collaboration with the Department of Education and the Council on Postsecondary Education, the Education Professional Standards Board should present a plan to the Program Review and Investigations Committee by Oct. 1, 2010, for tracking the quality of teacher professional development. The plan may include moving oversight of teacher professional development to EPSB for the purpose of linking professional development to certification.**

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## **Appendix A**

### **How This Study Was Conducted**

At its January 2009 meeting, the Program Review and Investigation Committee directed staff to conduct a study of the Education Professional Standards Board. To complete this study, Program Review staff reviewed relevant state statutes and regulations, reviewed policies and procedures of the Education Professional Standards Board, reviewed the relevant literature, conducted interviews, and analyzed data.

Program Review staff interviewed EPSB staff and board members; officials and staff from the Council on Postsecondary Education and the Department of Education; faculty and staff from six postsecondary teacher education institutions in Kentucky; and officials and staff from the Kentucky Education Association, the Kentucky Association of Professional Educators, the Kentucky Association of School Administrators, and the Kentucky Association of School Superintendents. Staff interviewed officials from education standards boards in other states, the National Council for Accreditation of Teacher Educators, and the National Center for Education Information.

Staff also collected and analyzed educator discipline, educator preparation, teacher assessment, and teacher demographic data.





## Appendix B

### Summary and Status of EPSB Statutory Requirements

As shown below, EPSB is in compliance with the subsections of KRS 161.028(1) with the exception of subsection (h), which mandates that board members receive training on the dynamics of sexual misconduct of professionals. No formal training has occurred in the past few years due to board member turnover and budget cuts. Training should resume when board vacancies are filled.

| <b>KRS 161.028(1) Subsection</b>   | <b>Manner of Compliance</b>   |
|--|---|
| (a) Establish standards and requirements for obtaining and maintaining teaching certificate  | 16 KAR 1:010, 030; 16 KAR 2; 16 KAR 4; 16 KAR 6:010, 020; 16 KAR 7:010; 16 KAR 8; 16 KAR 9; EPSB's <i>Procedure Manual</i>  |
| (b) Set standards for, approve, and evaluate teacher preparation programs  | 16 KAR 5; EPSB's <i>Procedure Manual</i>  |
| (c) Conduct an annual review of diversity in teacher preparation programs  | Kentucky Educator Preparation Program report card on agency Web site  |
| (d) Assistance with diversity to teacher preparation programs  | Technical support that included sharing successful program strategies with institutions   |
| (e) Discontinue approval of programs that fail to meet standards or graduate performance requirements  | 16 KAR 5:010; EPSB's <i>Procedure Manual</i>  |
| (f) Issue, renew, suspend, or revoke teaching certificates as standards and guidelines require   | 16 KAR 1:030, 16 KAR 4; EPSB's <i>Procedure Manual</i>  |
| (g) Develop specific guidelines to address allegations of sexual misconduct by certified employees   | 16 KAR 1:020, Section 1(3)(a)(8)  |
| (h) Receive training on the dynamics of sexual misconduct of professionals   |   |
| (i) Recommend to the Board of Education and report to the Interim Joint Committee on Education essential teacher data elements to be included in comprehensive state data system                                   | Collaborated with KDE on development of Kentucky Educational Data Warehouse, known as MAX; collaborated with KDE and CPE on Kentucky Instructional Data System (KIDS) |
| (j) Submit reports to the governor, Legislative Research Commission, and public on the status of teaching in Kentucky  | Special reports submitted upon request to the governor and General Assembly; strategic goal attainment reports posted on agency's Web site annually                   |
| (k) Devise a credentialing system for alternative routes of teaching certifications  | 16 KAR 9  |
| (l) Develop a professional code of ethics  | 16 KAR 1:020  |
| (m)-(p) Set qualifications and salaries for executive and deputy executive directors, hire and evaluate executive director, approve employment procedures for policy-level staff, approve biennial budget requests | KRS 161.017, KRS 12.050, and board action; EPSB <i>Procedure Manual</i>   |

| <b>KRS 161.028(1) Subsection</b>   | <b>Manner of Compliance</b>  |
|--|--|
| (q) Charge reasonable fees for issuance, reissuance, and renewal of certificates                                   | 16 KAR 4:040, Section 4  |
| (r) Waive a requirement established in administrative regulations if extraordinary circumstances are present       | Board actions recorded in board meeting minutes; EPSB <i>Procedure Manual</i>                                    |
| (s) Promote the development of one or more innovative, nontraditional, or alternative teacher preparation programs | 16 KAR 9:080; EPSB <i>Procedure Manual</i>   |
| (u) Employ consultants as needed   | EPSB has eight consultants   |
| (v) Enter into contracts   | EPSB <i>Procedure Manual</i>   |
| (w) Sponsor studies, conduct research and conferences, and publish information as appropriate                      | Federal Teacher Quality Enhancement Grant in 2003; EPSB and CPE co-sponsored several Teacher Quality Conferences |
| (x) Issue orders as necessary in administrative actions before the board   | Board actions recorded in board meeting minutes  |

Source: Program Review staff analysis of administrative regulations and EPSB documents and information.

## Appendix C

### Accreditation Timelines From 16 KAR 5:010

| <b>Time</b>   | <b>Initial Accreditation</b>  | <b>Continuing Accreditation</b>  |
|---|---|--|
| 2 years prior   | §3: Unit sends letter of intent to EPSB.  | N/A  |
| 18 months prior   | §9 & §11: Unit submits documentation of preconditions fulfillment and programs to be approved.  | N/A  |
| 1 year prior  |   | §11: Unit submits information on each program to be considered for approval.   |
| 6 months prior  | §4(5): Unit publishes call for comment for third party testimony.   | N/A  |
| 2 months prior  | §10: Unit submits institutional report to EPSB.   | §10: Unit submits institutional report to EPSB.  |
| 1 month prior   | §15: EPSB conducts previsit.  | §15: EPSB conducts previsit.   |
| Over period of 4-5 days (Saturday evening or Sunday to Wednesday) | §16: BOE conducts on-site evaluation of institution, including determination: 1) standards met, 2) standards met with one or more areas for improvement, or 3) standards not met. | §16: BOE conducts on-site evaluation of institution, including determination: 1) standards met, 2) standards met with one or more areas for improvement, or 3) standards not met.    |
|   | §17: BOE prepares draft report; institution reviews for factual accuracy and returns to EPSB within 10 days.  | §17: BOE prepares draft report; institution reviews for factual accuracy and returns to EPSB within 10 days.   |
| Within 30-60 days of visit  | §17: BOE submits final report to EPSB, which forwards a copy to unit.   | §17: BOE submits final report to EPSB, which forwards a copy to unit.  |
| Within 60-90 days of visit  | §18: Unit acknowledges receipt of report within 30 days and may submit rejoinder.   | §18: Unit acknowledges receipt of report within 30 days and may submit rejoinder.  |
|   | §19: AAC reviews materials and makes recommendation to EPSB: 1) accreditation, 2) provisional accreditation, 3) denial, or 4) revocation of accreditation.                        | §19: AAC reviews materials and makes recommendation to EPSB: 1) accreditation, 2) accreditation with conditions, 3) accreditation with probation, or 4) revocation of accreditation. |
|   | §20: EPSB makes final decision: 1) accreditation, 2) provisional accreditation, 3) denial, or 4) revocation of accreditation.   | §20: EPSB makes final decision: 1) accreditation, 2) accreditation with conditions, 3) accreditation with probation, or 4) revocation of accreditation.                              |

Note: BOE refers to the Board of Examiners; AAC refers to the Accreditation Audit Committee.

Source: Program Review staff analysis of administrative regulations and EPSB documents and information.



## Appendix D

### Alternative Certification

EPSB oversees seven alternative routes to teacher certification. Candidates may become certified by meeting specific requirements and

1. having exceptional work experience,
2. completing a local district training program,
3. being an eligible college faculty member,
4. being an eligible adjunct instructor,
5. being an eligible veteran of the Armed Forces,
6. being enrolled in a postbaccalaureate teacher preparation program at a university, or
7. completing pedagogical training at a university institute.

Exceptional work experience, option 1, requires candidates to have at least 10 years of exceptional work experience related to the area of certification, a bachelor's degree or higher, and a major in the subject area of certification or a passing score on the subject area assessment. Candidates must also successfully complete KTIP. For the 2008-2009 school year, 15 teacher candidates following this route were teaching in public schools.

Option 2, completing a local district training program, allows local school districts the ability, with EPSB approval, to provide an alternative to a college teacher preparation program. Currently, the Jefferson County School District is the only district with this program. Candidates must have a bachelor's degree or higher and possess a major in the academic content area for which they will teach, or have at least 5 years of experience in that content area. Passing scores on content assessments and successful completion of KTIP are also required. For the 2008-2009 school year, 22 teacher candidates following this route were teaching in public schools.

Option 3 permits eligible college faculty members to teach. Candidate requirements include a master's or doctoral degree and at least 5 years full-time postsecondary level teaching experience in the academic content area for which certification is sought. Candidates must also successfully complete KTIP. For the 2008-2009 school year, 28 teacher candidates following this route were teaching in public schools.

Option 4 is the certification of an adjunct instructor. It is the oldest alternative certification option in Kentucky. Candidates have expertise in particular areas, such as art, music, or foreign language. They can only be employed part time. For the 2008-2009 school year, 74 teacher candidates following this route were teaching in public schools. Of those, music (13), Spanish (6), and dance (5) were the most common content areas.

Option 5 allows veterans of the Armed Forces to teach. Eligible candidates must have been honorably discharged from active duty after serving for at least 6 consecutive years or 10 years overall. Candidates must possess a bachelor's degree in the subject or related area for which they are seeking certification. They must also pass content assessments and successfully complete

KTIP. For the 2008-2009 school year, 34 teacher candidates following this route were teaching in public schools.

Option 6, the university-based alternative route, is the most common alternative certification path—1,647 teacher candidates following this route were teaching in public schools during the 2008-2009 school year. To participate, candidates enroll in a postbaccalaureate teacher preparation program while teaching in a local school district. This allows the candidate to teach while pursuing full certification. A passing score on content area assessments and successful completion of KTIP are required.

The university institute, option 7, is the final and most recent alternative option overseen by EPSB. It generally allows candidates to undergo an intense period of training focusing on pedagogical strategies. Eligible candidates must have at least a bachelor's degree that pertains to the content area for which certification is sought. Candidates must also pass content-area assessments and successfully complete KTIP. For the 2008-2009 school year, nine teacher candidates following this route were teaching in public schools.

The following table summarizes the seven alternative routes to teacher certification overseen by EPSB, including the candidate requirements for each.

|   | Option                      |                |                          |                    |                             |                                |                      |
|---|-----------------------------|----------------|--------------------------|--------------------|-----------------------------|--------------------------------|----------------------|
|   | 1                           | 2              | 3                        | 4                  | 5                           | 6                              | 7                    |
| Requirements  | Exceptional Work Experience | Local Training | Postsecondary Instructor | Adjunct Instructor | Veteran of the Armed Forces | University Alternative Program | University Institute |
| <b>Education</b><br>Bachelor's degree or higher                       | ■                           | ■              | ■ <sup>3</sup>           |                    | ■                           | ■                              | ■                    |
| <b>Experience</b><br>5 or more years<br>6+ years active military duty | ■ <sup>1</sup>              | ■ <sup>2</sup> | ■                        |                    | ■                           |                                |                      |
| <b>Training</b><br>Pass content assessment<br>KTIP                    | ■<br>■                      | ■<br>■         | ■                        |                    | ■<br>■                      | ■<br>■                         | ■<br>■               |
| Year Enacted  | 1998                        | 1990           | 1993                     | 1984               | 2000                        | 2000                           | 2004                 |
| Number in public schools in 2008-2009 school year                     | 15                          | 22             | 28                       | 74                 | 34                          | 1,647                          | 9                    |

<sup>1</sup> Requires 10 years of work experience.

<sup>2</sup> Required if a candidate has a bachelor's degree grade point average of 2.0 to 2.49 or to meet content knowledge requirement.

<sup>3</sup> Requires a master's degree.

Source: Program Review staff analysis of statutes, regulations, and EPSB materials.





## Appendix E

# TC-1 Application Form (Abbreviated)

Page 1

Commonwealth of Kentucky  
 EDUCATION PROFESSIONAL STANDARDS BOARD  
 Division of Certification, 100 Airport Road, 3rd Floor  
 Frankfort, Kentucky 40601



Form TC-1  
 10-05

Telephone (502) 564-4606 (888) 598-7667 www.kyepsb.net

### APPLICATION FOR KENTUCKY CERTIFICATION OR CHANGE IN SALARY RANK

Read instructions before completing application. Incomplete application will delay processing.

**SECTION I. RECORD OF PREPARATION TO BE COMPLETED BY APPLICANT (type or print)**

**A. PERSONAL INFORMATION**

|                        |                |                       |
|------------------------|----------------|-----------------------|
| Social Security Number | E-Mail Address | Telephone Number      |
| Last Name              | First Name     | Middle or Maiden Name |
| Mailing Address        | City           | State                 |
|                        |                | Zip Code              |

Date of Birth (Month/Day/Year) \_\_\_\_\_ Sex: Male or Female (Please circle one)

ETHNIC IDENTIFICATION -- OPTIONAL (check one)

- |  |  |
|--|--|
| <input type="checkbox"/> White, Non-Hispanic       | <input type="checkbox"/> Black, Non-Hispanic |
| <input type="checkbox"/> Asian or Pacific Islander | <input type="checkbox"/> American Indian     |
| <input type="checkbox"/> Hispanic                  | <input type="checkbox"/> Other               |

Are you a veteran of the United States Armed Forces or Reserves with at least six years of service? Yes  No

| Effective January 1, 1997 charges for certification are as follows:  |         |
|--|---------|
| 1. Statement of Eligibility .....                                    | -0-     |
| 2. Limited One-Year Eligibility .....                                | -0-     |
| 3. Five (5) Year Substitute Certificate .....                        | \$15.00 |
| 4. Reissuance of Additional Four (4) Year Certificate .....          | \$35.00 |
| 5. Issuance or Reissuance of Regular Five (5) Year Certificate ..... | \$50.00 |
| 6. Duplicate Certificate (copy) .....                                | \$25.00 |
| 7. Addition of Area or Rank Change .....                             | \$50.00 |

Make cashier's check or money order payable to:  
**KENTUCKY STATE TREASURER**  
**FEES MUST ACCOMPANY THE APPLICATION - NO PERSONAL CHECKS ACCEPTED**  
 Applications received without the appropriate fees **will be returned.**  
**A \$10.00 PROCESSING FEE WILL BE RETAINED FOR CERTIFICATES THAT CANNOT BE ISSUED.**

**B. TYPE OF CERTIFICATE AND/OR RANK CHANGE REQUESTED - CONSISTENT WITH PROGRAM COMPLETED**

**C. COLLEGE ATTENDANCE RECORD**

| COLLEGE/UNIVERSITY | ADDRESS | DATES OF ATTENDANCE |    |   |   | TOTAL SEMESTER HOURS<br>OR DEGREES AWARDED |
|--------------------|---------|---------------------|----|---|---|--|
|                    |         | FROM                | TO | M | Y |  |
|                    |         |                     |    |   |   |  |
|                    |         |                     |    |   |   |  |
|                    |         |                     |    |   |   |  |

**D. PRAXIS II REQUIREMENTS (See Instructions - Section I.D.)**

- (1) Have you had two or more years of acceptable out-of-state teaching experience? Yes  No  If YES, complete Section II.  
 (2) Indicate when Praxis II tests were/will be taken: Specialty Test # \_\_\_\_\_ date \_\_\_\_\_ Specialty Test # \_\_\_\_\_ date \_\_\_\_\_  
 Indicate when PLT test was/will be taken: Principles of Learning and Teaching # \_\_\_\_\_ date \_\_\_\_\_  
 NOTE: When requesting Educational Testing Service (ETS) to forward your test scores, use code 7283 (Education Professional Standards Board).

**SECTION II. RECORD OF EXPERIENCE COMPLETED BY APPLICANT AND VERIFIED BY SCHOOL SUPERINTENDENT**

| SCHOOL DISTRICT | ADDRESS | POSITION<br>(INCLUDE GRADE LEVEL<br>& SUBJECT) | CHECK ONE |       | EMPLOYMENT DATES |    |   |   |
|-----------------|---------|--|-----------|-------|------------------|----|---|---|
|                 |         |  | FULL-TIME | OTHER | FROM             | TO | M | Y |
|                 |         |  |           |       |                  |    |   |   |
|                 |         |  |           |       |                  |    |   |   |
|                 |         |  |           |       |                  |    |   |   |

I verify that this applicant has had successful experience as indicated above.

SIGNED \_\_\_\_\_ LOCAL SCHOOL SUPERINTENDENT      NAME OF LOCAL SCHOOL DISTRICT \_\_\_\_\_ DATE \_\_\_\_\_  
 \_\_\_\_\_ DISTRICT TELEPHONE # (\_\_\_\_) \_\_\_\_\_

**SECTION III. CHARACTER AND FITNESS**

*(This form must be completed with each certification application and submitted to the Education Professional Standards Board, Division of Certification, 100 Airport Road, 3rd Floor, Frankfort, KY 40601, (502) 564-4606, (888) 598-7667, or www.Kyepsb.net)*

Name: \_\_\_\_\_ Social Security Number: \_\_\_\_\_

Address: \_\_\_\_\_  
(Street) (City) (State) (Zip Code)

Telephone Number: ( ) \_\_\_\_\_

Answer each question by circling "yes" or "no." If you answer "yes" to any question, you must submit a full explanation using a separate sheet of paper.

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

State or Jurisdiction \_\_\_\_\_ Certificate Number \_\_\_\_\_  
Type \_\_\_\_\_ Issue Date \_\_\_\_\_ Expiration Date \_\_\_\_\_

- |    |  |     |    |
|----|--|-----|----|
| 1. | Have you ever had a professional certificate, license, credential, or any document issued to you for practice denied, suspended, revoked, or voluntarily surrendered?  | Yes | No |
| 2. | Are you currently being reviewed or investigated for purposes of such action as stated in #1 or is such action pending?  | Yes | No |
| 3. | Have you ever been dismissed, resigned, released, or asked to resign/fetire or discharged from a professional position or military service for immorality, incompetence, willful neglect of duty, misconduct, or presenting false information toward obtaining the position? | Yes | No |
| 4. | Is any such action as stated in #3 pending?  | Yes | No |
| 5. | Have you ever been convicted of a felony or misdemeanor (other than a moving traffic violation), been found guilty, or entered a plea of nolo contendere (no contest), even if adjudication was withheld, in Kentucky or any other state?                                    | Yes | No |
| 6. | If you indicated "yes" to any items, #1 through #6, has that action been reviewed by the Education Professional Standards Board?<br><div style="text-align: right;">(Date of Review) _____</div>   | Yes | No |

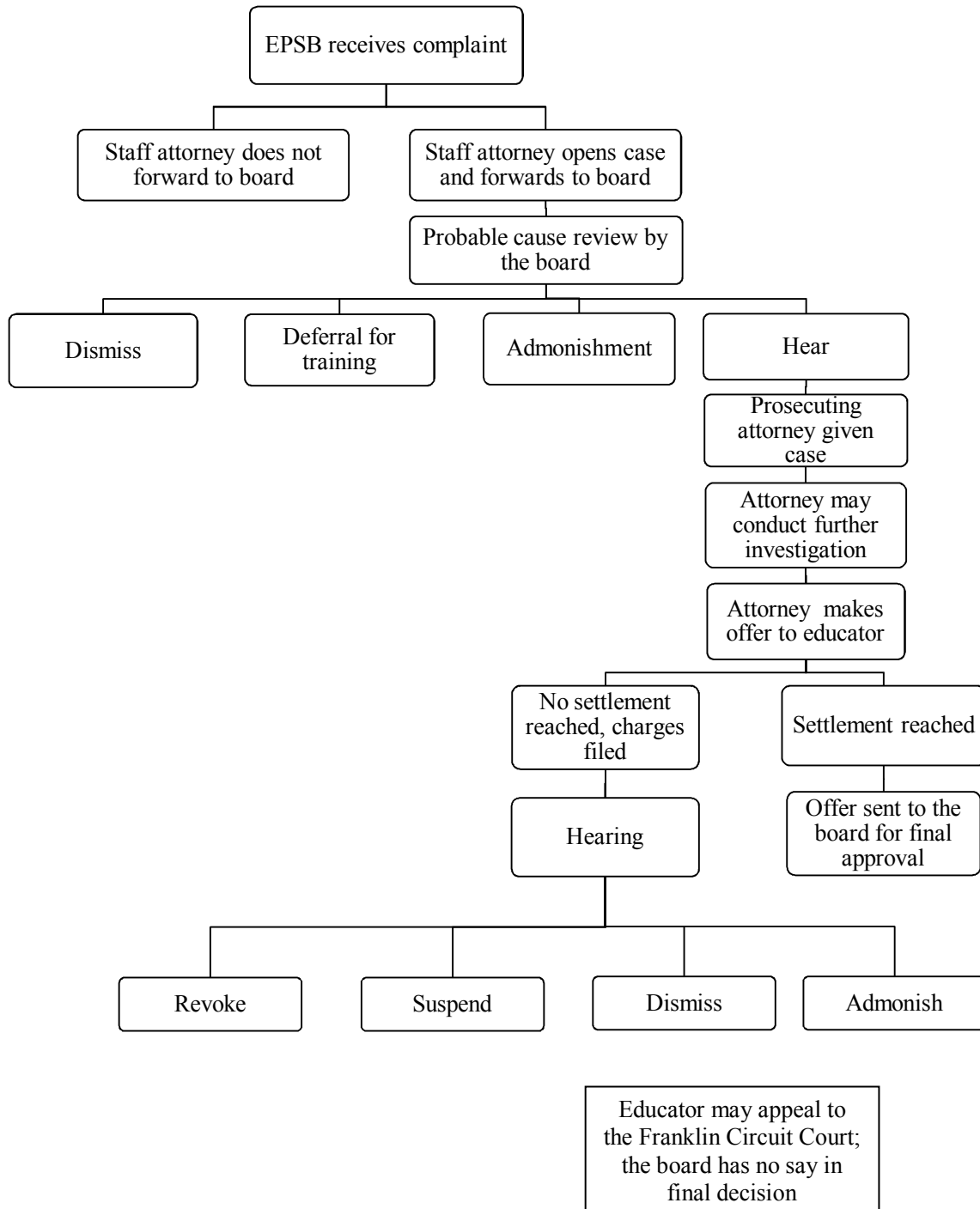
I affirm and declare that all information given by me on this form is true, and correct, and complete to the best of my knowledge. I understand that any misrepresentation of facts, by omission or addition, may result in the denial or revocation of my teaching certificate. Further, I understand that KRS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

I declare that I understand the standard for personal and professional conduct expected of a professional educator in Kentucky. I further certify that I have read and examined the CODE OF ETHICS (page 4) applicable to school personnel, understand its provisions, and agree to abide by its terms during the course of my career as a professional educator.

**SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_

## Appendix F

### Teacher Disciplinary Process





## Appendix G

### Professional Code of Ethics for Kentucky School Certified Personnel

#### 16 KAR 1:020. Professional code of ethics for Kentucky school certified personnel.

RELATES TO: KRS 161.028, 161.040, 161.120

STATUTORY AUTHORITY: KRS 161.028, 161.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028 requires that the Education Professional Standards Board develop a professional code of ethics. This administrative regulation establishes the code of ethics for Kentucky school certified personnel and establishes that violation of the code of ethics may be grounds for revocation or suspension of Kentucky certification for professional school personnel by the Education Professional Standards Board.

Section 1. Certified personnel in the Commonwealth:

- (1) Shall strive toward excellence, recognize the importance of the pursuit of truth, nurture democratic citizenship, and safeguard the freedom to learn and to teach;
- (2) Shall believe in the worth and dignity of each human being and in educational opportunities for all;
- (3) Shall strive to uphold the responsibilities of the education profession, including the following obligations to students, to parents, and to the education profession:
  - (a) To students:
    1. Shall provide students with professional education services in a nondiscriminatory manner and in consonance with accepted best practice known to the educator;
    2. Shall respect the constitutional rights of all students;
    3. Shall take reasonable measures to protect the health, safety, and emotional well-being of students;
    4. Shall not use professional relationships or authority with students for personal advantage;
    5. Shall keep in confidence information about students which has been obtained in the course of professional service, unless disclosure serves professional purposes or is required by law;
    6. Shall not knowingly make false or malicious statements about students or colleagues;
    7. Shall refrain from subjecting students to embarrassment or disparagement; and
    8. Shall not engage in any sexually related behavior with a student with or without consent, but shall maintain a professional approach with students. Sexually related behavior shall include such behaviors as sexual jokes; sexual remarks; sexual kidding or teasing; sexual innuendo; pressure for dates or sexual favors; inappropriate physical touching, kissing, or grabbing; rape; threats of physical harm; and sexual assault.
  - (b) To parents:
    1. Shall make reasonable effort to communicate to parents information which should be revealed in the interest of the student;
    2. Shall endeavor to understand community cultures and diverse home environments of students;
    3. Shall not knowingly distort or misrepresent facts concerning educational issues;

4. Shall distinguish between personal views and the views of the employing educational agency;
  5. Shall not interfere in the exercise of political and citizenship rights and responsibilities of others;
  6. Shall not use institutional privileges for private gain, for the promotion of political candidates, or for partisan political activities; and
  7. Shall not accept gratuities, gifts, or favors that might impair or appear to impair professional judgment, and shall not offer any of these to obtain special advantage.
- (c) To the education profession:
1. Shall exemplify behaviors which maintain the dignity and integrity of the profession;
  2. Shall accord just and equitable treatment to all members of the profession in the exercise of their professional rights and responsibilities;
  3. Shall keep in confidence information acquired about colleagues in the course of employment, unless disclosure serves professional purposes or is required by law;
  4. Shall not use coercive means or give special treatment in order to influence professional decisions;
  5. Shall apply for, accept, offer, or assign a position or responsibility only on the basis of professional preparation and legal qualifications; and
  6. Shall not knowingly falsify or misrepresent records of facts relating to the educator's own qualifications or those of other professionals.

Section 2. Violation of this administrative regulation may result in cause to initiate proceedings for revocation or suspension of Kentucky certification as provided in KRS 161.120 and 704 KAR 20:585 (21 Ky.R. 2344; eff. 5-4-95; recodified from 704 KAR 20:680, 7-2-2002).

## Appendix H

### Response to Recommendations From the Education Professional Standards Board

- 1.1. EPBS should determine if it would be more cost-effective and appropriate to replace its contract attorneys with an attorney on staff.
  - Following the final announcement of reductions in the FY 2010 budget, the EPSB will review the feasibility of adding another staff attorney.
- 3.1. Adjusting the number of Board Examiner team members for state-only accreditation visits based on the size of the institution and number of programs being evaluated.
  - The recent changes to NCATE accreditation processes support smaller BOE teams. These changes will also be reflected in state-only accreditation visits.
  - The EPSB staff will consult with our institutional partners to draft an amendment to KAR 5:010, allowing flexibility in the number of BOE team members for state-only accreditation visits.
- 3.2. Consider establishing guidelines to ensure that the Board of Examiners teams are reasonably representative of the type of institution being evaluated.
  - EPSB staff will consult with our institutional partners to explore ways we can improve the assignment of BOE team members.
- 4.1. Finalize implementation of an electronic tracking system to be used to accurately monitor complaints and cases against teachers, including how they were resolved.
  - The problems identified in the report regarding the Legal Case Tracking System (LCTS) monitoring of complaints and the resolution of misconduct cases have been resolved. Some data entry issues from old cases remain, but current cases and complaints are now reported accurately.
- 4.2. Develop procedures describing how information will be entered into its electronic disciplinary tracking database and provide training to staff on the use of that data base.
  - EPSB staff with responsibilities for entering data into the LCTS are continuing to develop and refine the procedures for doing so. We will, however, maintain a parallel paper system until the procedures are fully tested and documented.
- 4.3. Develop a standard form for filing complaints against teachers and make it available electronically.
  - Uniform procedures for filing complaints are now available on the EPSB web site.
- 4.4. Consider establishing a disciplinary case review committee composed by board members, and possibly staff, to review all complaints and determine which ones should or should not be forwarded to the entire board.
  - The Executive Director will discuss this recommendation with the EPSB and follow the Board's preference and guidance.

- 5.1. In collaboration with KDE and CPE, present a plan to the Program Review and Investigations Committee by Oct 1, 2010, for tracking the quality of teacher professional development. The plan may include moving oversight of teacher professional development to EPSB for the purpose of linking professional development to certification.
- The EPSB Executive Director will discuss this recommendation with the President of CPE and the Commissioner of Education. A plan will be drafted and presented to the Program Review and Investigations Committee by October 1, 2010.