

MINUTES

PROFESSIONAL STANDARDS COMMISSION

Two Peachtree Street

Atlanta, Georgia

April 8, 2010

The Georgia Professional Standards Commission (PSC) met on Thursday, April 8, 2010, at 9 a.m.

Members Present

Penny Elkins

Dr. Adrian Epps

Bill Haskin

Joy Hawkins

Stephanie Haynes

Meredith Hodges

Emily Jennette

Dr. Louisa Moffitt

Andre Mountain

Rose Powell

Pam Walker

Dr. Debbie Wilkes

Members Absent

Marci Cawthon

Dr. Hester Vasconcelos

Dr. Ed Smith

Julia Bernath

David Johnson

Jeannie Tucker

I. CALL TO ORDER

Chair Wilkes called the meeting to order at 9 a.m. and led the Pledge of Allegiance to the U.S. flag and a moment of silence.

II. ADOPTION OF AGENDA

Chair Wilkes called for approval of the agenda.

MOTION: (Powell / Moffitt) To approve the agenda.

PSC ACTION: Approved

III. APPROVAL OF MINUTES

Chair Wilkes called for approval of the minutes from the March 11, 2010, Commission meeting.

PSC ACTION: Approved

IV. VISITORS

Chair Wilkes welcomed the visitors.

- Margaret Elliott, Professional Association of Georgia Educators
- Gayle Wooten, Professional Association of Georgia Educators
- E. Brian Watkins, Attorney
- Tommy Taylor
- Franklin Taylor
- John Hooper, Georgia School Superintendents Association
- Cindi Chance, GACTE
- Linda Fortson, Warren Fortson Law Office
- Bill Russell, Lincoln Memorial University
- Valentina Taylor

V. EMPLOYEE SERVICE AWARD

Chair Wilkes presented Sherry Smith with a 5 Year Service Award. Kelly Henson read the following:

Sherry started employment with the PSC in February 2005 with the TeachGeorgia Division. She worked as the TeachGeorgia.org Program Specialist and her primary responsibilities were to assist educators with questions pertaining to TeachGeorgia.org, gapsc.org, vacancy reporting, recruitment and the basics about becoming certified in Georgia. In addition, she worked closely with school systems to achieve their goal of having only highly-qualified educators in the classroom. After completing one full year with TeachGeorgia.org's, she transferred to the Certification Division and began working as an Information Specialist. She remained in that position from March 2006 to December 2009 until she was promoted to a Certification Evaluator Trainee.

During recent months she has been assigned the responsibility of managing the PSC support effort for MYPSC for the Certification Division and a major contributor to the development of the Certification 101 Training that is being implemented across the state this year.

She is always willing to assist her colleagues and collaborate with others to accomplish certification goals.

VI. RECOGNITION OF CRAIG SMITH

Chair Wilkes presented Dr. Craig Smith with his picture and a picture of the capitol. Chair Wilkes and Kelly Henson thanked him for his service on the Commission and as Chair of the Educator Preparation Committee. Dr. Craig Smith thanked the Commission for all of their hard work. Dr. Smith served on the Commission from August 2003 to February 2010.

VII. INDUCTION OF NEW COMMISSIONERS

Chair Wilkes and Kelly Henson swore in Meredith Hodges and Bill Haskin to the Commission. Kelly read the following:

William "Bill" R. Haskin, Valdosta, Teacher Representative – Haskin is a teacher, team leader and science chair at Hahira Middle School. Haskin was named the 2006-2007 Hahira Middle School Teacher of the Year, 2006-2007 Lowndes County School System Teacher of the Year, 2007 Wal-Mart/Sam's Club Teacher of the Year, and 2008 Georgia Teacher of the Year finalist. He is a member of the education subcommittee of the Community Taskforce Against Violence, Georgia Teacher of the Year selection team, Superintendent's Advisory Council and is a Georgia Lighthouse Schools to Watch evaluator. Haskin earned a bachelor's degree and a master's degree from Valdosta State University. He and his wife, Debbie, have four children and four grandchildren.

Meredith W. Hodges, College Park, Business Representative – Hodges is vice president of human resources and external affairs for Gas South, LLC. She is co-chair of the Atlanta Firms committee for the Woodruff Arts Center Annual Fundraising Campaign and is co-chair of the teacher recruitment and retention subcommittee of the Metro Atlanta Chamber's Regional Education Committee. She is also a mentor in the Coca-Cola Company/Spelman College mentoring program. Hodges earned a bachelor's degree from Washington and Lee University and a master's degree from Georgia State University. She and her husband, Jason, have one

daughter.

VIII. COMMITTEE REPORTS

A. Ethics and Professional Conduct --Recommendations and Actions on Cases

Commissioner Rose Powell of the Educator Ethics Review Committee (EERC), gave a preliminary review of the Cases.

- Ms. Powell reported that the Committee reviewed 37 *Probable Cause* cases during its April 7, 2010, meeting and brought the following recommendations on behalf of the Committee:

#	CASE #	INVESTIGATOR	STANDARDS VIOLATED	RECOMMENDATION
1	10-1-712	Langston Jackson	Criminal Acts Action Taken in Another State	No Probable Cause
2	10-1-717	Langston Jackson	No Violations	No Probable Cause
3	10-1-718	Langston Jackson	No Violations	No Probable Cause
4	10-2-870	Langston Jackson	Criminal Acts	Reprimand
5	09-9-346	Property Rights	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report Other Good and Sufficient Cause	Revocation
6	09-10-427	Property Rights	Professional Conduct	Suspension – 5 Days
7	09-10-433	Property Rights	Abuse of Students Alcohol or Drugs Professional Conduct	Suspension – 1 Year
8	09-10-476	Property Rights	Confidential Information Professional Conduct	Suspension – 5 Days
9	09-10-477	Property Rights	Confidential Information Professional Conduct	Suspension – 5 Days
10	09-11-549	Property Rights	Misrepresentation or Falsification Professional Conduct Public Funds and Property	Suspension – 10 Days

#	CASE #	Applicants	STANDARDS VIOLATED	RECOMMENDATION
11	09-11-579	Property Rights	Abuse of Students Professional Conduct	Suspension – 90 Days
12	09-12-615	Property Rights	Criminal Acts	Reprimand
13	09-12-631	Property Rights	Professional Conduct	Suspension – 5 Days
14	09-12-646	Property Rights	Criminal Acts Professional Conduct	Suspension – 20 Days
15	09-12-647	Property Rights	Criminal Acts Professional Conduct	Suspension – 90 Days
16	09-12-670	Property Rights	Abuse of Students Professional Conduct	Reprimand
17	10-1-690	Property Rights	Abuse of Students Professional Conduct	Reprimand
18	10-1-691	Property Rights	Abuse of Students Professional Conduct	Extend Pending Outcome of Criminal Case
19	10-1-692	Property Rights	Abuse of Students Professional Conduct	Suspension – 5 Days
20	10-1-696	Property Rights	Criminal Acts Abuse of Students Misrepresentation or Falsification Professional Conduct Other Good and Sufficient Cause	Revocation
21	10-1-715	Property Rights	Criminal Acts	No Recommendation
22	10-1-716	Property Rights	Abuse of Students	Reprimand
23	10-1-724	Property Rights	Criminal Acts Abuse of Students Professional Conduct Other Good and Sufficient Cause O.C.G.A. 16-6-4(A) O.C.G.A. 16-6-4(C) O.C.G.A. 16-12-100-1.	Revocation
24	10-1-726	Property Rights	Alcohol or Drugs Misrepresentation or Falsification Professional Conduct	Suspension – 1 Year
25	10-1-733	Property Rights	Abuse of Students Professional Conduct	Suspension 10 Days
26	10-1-741	Property Rights	Public Funds and Property Improper Remunerative Conduct Professional Conduct	Suspension – 90 Days
27	10-1-744	Property Rights	Misrepresentation or Falsification Professional Conduct	Suspension – 5 Days
28	10-1-748	Property Rights	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	Reprimand
29	10-1-750	Property Rights	Criminal Acts Failure to Make a Required Report Professional Conduct	Suspension – 20 Days

#	CASE #	Applicants	STANDARDS VIOLATED	RECOMMENDATION
30	10-1-751	Property Rights	Professional Conduct	Suspension – 90 Days
31	10-1-754	Property Rights	Abuse of Students Improper Remunerative Conduct Professional Conduct	Suspension – 45 Days
32	10-1-755	Property Rights	Abuse of Students Professional Conduct	Suspension – 20 Days
33	10-1-767	Property Rights	Abuse of Students Professional Conduct	Suspension – 1 Year
34	10-1-771	NO JURISDICTION	Abuse of Students Professional Conduct	Administrative Dismissal Hold New Application
35	10-1-772	Property Rights	Misrepresentation or Falsification Public Funds and Property Professional Conduct	Suspension – 20 Days
36	10-2-866	Property Rights	Criminal Acts	Reprimand
37	10-3-969	Property Rights	Criminal Acts	Reprimand

2. Ms. Powell reported that the Educator Ethics Review Committee reviewed *Initial Decision* and brought the following suggestion on behalf of the Committee:

CASE #	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	ADMINISTRATIVE LAW JUDGE SANCTION	SUGGESTION
09-1-734	Misrepresentation or Falsification Public Funds and Property Professional Conduct	Suspension 20 Contract Days	Suspension 20 Contract Days	Accept

3. Ms. Powell reported that the Educator Ethics Review Committee reviewed 1 *Petitions Issue* and brought the following suggestion on behalf of the Committee:

CASE NUMBER	REQUEST	PREVIOUS SANCTION	PREVIOUS VIOLATION	SUGGESTION
08-11-579	Motion to Stay Final Decision	Suspension – 1 year Began: March 29, 2010 Concludes: March 29, 2010	Misrepresentation or Falsification Confidential Information Failure to Make a Required Report Professional Conduct	DENY

4. Ms. Powell reported that the Educator Ethics Review Committee reviewed 10 *Settlement Agreements* and brought the following suggestions on behalf of the Committee:

#	CASE NUMBER	SANCTION	SUGGESTION
1	09-8-210	Suspension – 10 Contract Days (Retroactive) (Sept. 21, 2009 – Oct. 2, 2009)	Accept
2	09-8-243	Revocation	Accept

3	09-9-309	Suspension – 90 Contract Days (Retroactive) (July 30, 2009 – Dec. 21, 2009)	Accept
4	09-9-335	Reprimand	Accept
5	09-9-376	Suspension – 1 Year (April 26, 2010 – April 26, 2011)	Accept
6	09-10-429	Suspension – 20 Contract Days (April 29, 2010 – May 26, 2010)	Accept
7	09-10-479	Suspension – 5 Contract Days (Retroactive) (Oct. 6, 2009 – Oct. 12, 2009)	Accept
8	09-10-490	Suspension – 5 Contract Days (April 26, 2010 – April 30, 2010)	Accept
9	09-11-527	Suspension – 20 Contract Days (April 26, 2010 – May 21, 2010)	Accept
10	09-11-560	Reprimand	Accept

5. Ms. Powell reported that the Educator Ethics Review Committee reviewed 9 *Negotiated Settlement Agreements* and brought the following suggestions on behalf of the Committee:

CASE #	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION	SUGGESTION
05-5-1700	Public Funds and Property Professional Conduct	Suspension - 90 Contract Days	Suspension - 3 Years (April 26, 2010 - April 26, 2013)	Accept
07-2-983	Misrepresentation or Falsification Failure to Make a Required Report Action Taken in Another State	Suspension - 20 Contract Days	Suspend - 5 Contract Days (May 10, 2010 – May 14, 2010)	Accept
08-9-296	Misrepresentation or Falsification Public Funds and Property Improper Remunerative Conduct	Revocation	Suspend - 1 Year (Retroactive) (Jan. 1, 2009 - Dec. 31, 2009)	Accept
08-11-601	Misrepresentation or Falsification Public Funds and Property Professional Conduct	Suspension - 1 Year	Suspend - 90 Contract Days (July 1, 2010 - Nov.19, 2010)	Accept
09-5-1204	Abuse of Students Professional Conduct	Suspension - 90 Contract Days	Suspend - 5 Contract Days (April 26, 2010 - April 30, 2010)	REJECT
09-5-1207	Abuse of Students Professional Conduct	Suspension - 90 Contract Days	Suspend - 45 Contract Days (Retroactive) (Aug. 10, 2009 - Oct. 5, 2009)	REJECT
09-6-1319	Misrepresentation or Falsification Confidential Information Professional Conduct	Suspension - 1 Year	Suspend – 20 Contract Days (Retroactive) (June 1, 2009 – June 30, 2009)	Accept
09-7-28	Criminal Acts Abuse of Students Alcohol or Drugs Professional Conduct	Revocation	Suspend – 1 Year (Retroactive) (April 4, 2009 – April 4, 2010)	Accept
09-9-345	Criminal Acts	Suspension - 1 Year	No Probable Cause	REJECT

6. The Educator Ethics Review Committee suggested approval of the *Preliminary Investigative Determination Report* consisting of 66 new complaints received during the months of February and March 2010.

8. EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS

The Educator Ethics Review Committee suggested approval of 29 Extensions - Preliminary Investigative Determinations consisting of the following:

#	CASE #	Complaint Received	#	CASE #	Complaint Received	#	CASE #	Complaint Received
1	10-3-896	02-25-10	13	10-3-908	03-01-10	25	10-3-933	03-09-10
2	10-3-897	02-25-10	14	10-3-909	03-03-10	26	10-3-934	03-06-10
3	10-3-898	02-25-10	15	10-3-910	03-04-10	27	10-3-935	03-06-10
4	10-3-899	02-25-10	16	10-3-911	03-04-10	28	10-3-936	03-06-10
5	10-3-900	02-26-10	17	10-3-925	03-08-10	29	10-3-937	03-10-10
6	10-3-901	02-26-10	18	10-3-926	03-08-10			
7	10-3-902	02-26-10	19	10-3-927	03-08-10			
8	10-3-903	02-26-10	20	10-3-928	03-08-10			
9	10-3-904	02-26-10	21	10-3-929	03-08-10			
10	10-3-905	03-01-10	22	10-3-930	03-08-10			
11	10-3-906	03-01-10	23	10-3-931	03-08-10			
12	10-3-907	03-01-10	24	10-3-932	03-09-10			

9. EXTENSIONS – INVESTIGATIONS

The Educator Ethics Review Committee suggested granting and *Investigative Extension* to the following 26 Written Complaints and 16 Application cases:

WRITTEN COMPLAINT EXTENSIONS:

10-2-827	09-12-629	09-12-655	10-1-777	10-1-731	10-1-735
10-2-844	10-1-746	10-1-738	09-10-385	09-7-11	
10-2-845	10-1-749	10-1-743	09-10-386	09-12-675	
09-8-200	10-1-774	10-1-752	09-10-387	10-1-732	
09-11-537	09-12-644	10-1-753	10-1-742	10-1-734	

APPLICATION CASE EXTENSIONS:

10-1-699	10-1-766	09-11-571	10-1-700	10-2-861	10-2-879
10-1-740	09-11-566	09-11-573	10-1-707	10-2-863	
10-1-756	09-11-569	09-11-575	10-2-860	10-2-876	

10. REVIEW HEARING EXTENSIONS

The Commission reviewed the *Review Hearing Extensions Report* concerning 1 hearing case. An

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Administrative Law Judge rendered an Initial Decision on the case referenced in the report. The report indicates that an Order was issued.

11. STUDENT LOAN SUSPENSION / REINSTATEMENTS

The Commission reviewed the report, which indicated that there were 9 certificates *suspended* from March 11, 2010 through April 8, 2010. There were 8 certificates that had been *reinstated* because restitution is now being made on those student loans. There were 4 issues where notification had been received to suspend but releases were received prior to the actual suspension being implemented. Restitution is now being made on those student loans.

12. FINAL DECISIONS BY OPERATION OF LAW

The Commission reviewed the report, which advised of 7 cases now closed without an appeal for a hearing before an Administrative Law Judge. The report also advised that there was 1 case closed without an appeal for a review hearing before the Commission.

Chair Wilkes called for approval of the Educator Ethics Review Committee report as presented by Rose Powell excluding cases 10-1-691, 10-1-692, 10-2-866, 09-5-1207, 09-09-345 and 10-1-715.

PSC ACTION: Approved

Abstention: Meredith Hodges and Bill Haskin

Case # 10-1-691

MOTION: (Powell / Moffitt) To reject the Educator Ethics Review Committee's suggestion to extend the pending outcome of the criminal case and amend to a one year suspension.

PSC ACTION: Approved

Abstention: Meredith Hodges and Bill Haskin

Case # 10-1-692

MOTION: (Epps / Elkins) To reject the Educator Ethics Review Committee's suggestion to a 5 day Suspension and amend to extend the case in order to receive additional information from the PSC staff.

PSC ACTION: Approved

Abstention: Meredith Hodges and Bill Haskin

Case # 10-1-715

MOTION: (Hawkins / Elkins) To extend the case in order to receive additional information from the PSC staff.

PSC ACTION: Approved

Abstention: Meredith Hodges and Bill Haskin

Case # 10-2-866

MOTION: (Hawkins / Elkins) To reject the Educator Ethics Review Committee's suggestion for a reprimand and extend the case in order to receive additional information from the PSC staff.

PSC ACTION: Approved

Abstention: Meredith Hodges and Bill Haskin

Case # 09-5-1207

MOTION: (Jennette / Powell) To accept the Attorney General's negotiated settlement agreement of a 45 day

suspension.

PSC ACTION: Approved

Abstention: Meredith Hodges and Bill Haskin

Case # 09-09-345

MOTION: (Jennette / Powell) To reject the Attorney General’s negotiated settlement agreement of No Probable Cause.

PSC ACTION: Approved

Abstention: Meredith Hodges and Bill Haskin

B. Educator Preparation Standing Committee

Committee Chair, Dr. Penny Elkins, presented the report of the Educator Preparation Standing Committee.

Agency/Institution	Approval Recommendation
<p>Appeal of GaPSC Staff Decision on Certificate Level Dr. Tami Johnson</p>	<p>The Committee recommends denial of the appeal by Dr. Tami Johnson and that her certification level remains at Level 6.</p>
<p>Georgia State University</p>	<p>The Committee recommends Developmental Approval for the educator preparation programs:</p> <ul style="list-style-type: none"> • Birth through Five Education (Initial, B.S.; Ages 0 – 5) • ESOL Education (Initial, M.A.T.; P-12) • Middle Grades Education (Initial, B.S.; 6-8) • ESOL Endorsement • ESOL Endorsement ECE/M.Ed. • Reading Endorsement <p>The areas for improvement remain and are to be addressed in a progress report due September 15, 2010.</p>
<p>Northeast Georgia RESA</p>	<p>The Committee recommends Continuing Approval for the GaTAPP program.</p>
<p>Truett-McConnell College</p>	<p>The Committee recommendations for the Progress Report submitted November 20, 2009 are as follows:</p> <p><u>Recommendation 1:</u></p> <p>The Progress Report indicates that progress is satisfactory in addressing the areas for improvement for Standard 4; the areas for improvement remain.</p> <p><u>Recommendation 2:</u></p> <p>A Progress Report is due September 15, 2010, addressing the Standard 4 areas for improvement cited for the professional education unit and the Early Childhood</p>

Agency/Institution	Approval Recommendation
	Education program.
Piedmont College	The Committee recommends granting the request to defer the fall 2010 PSC Initial Performance Review of the Drama Education program and the undergraduate Secondary Education programs until spring 2011.

Chair Wilkes called for approval of the Educator Preparation Committee report as presented by Dr. Penny Elkins.

PSC ACTION: Approved

Abstention: Meredith Hodges and Bill Haskin

IX. REVIEW HEARING

- | | |
|--|--|
| <p>1. Tommy Taylor
Wayne Magnum
Calandra Harp
E. Brian Watkins</p> | <p>- Educator (Case # 06-10-334)
- Hearing Officer
- PSC Attorney
- Attorney</p> |
|--|--|

MOTION: (Haynes / Elkins) To go into Executive Session and allow PSC staff (Gary Walker and Tanis Miller) to remain.

ACTION: Approved

MOTION: (Haynes / Hawkins) To come out of Executive Session and reconvene the Regular Session.

ACTION: Approved

MOTION: (Elkins / Powell) To adopt the Findings of Fact and Conclusions of Law reached by the Administrative Law Judge. The Decision of the Administrative Law Judge as indicated in the Initial Decision was hereby adopted and incorporated by reference herein and made the Final Decision of the Commission. The Commission hereby ordered that the application for a Georgia educator certificate filed by Tommy Christopher Taylor be denied effective April 8, 2010.

ACTION: Approved

Abstention: Meredith Hodges and Bill Haskin

X. EXECUTIVE SECRETARY REPORT

The Executive Secretary presented the following:

A. Computer Skills Competency Test is a special Georgia requirement. Georgia code authorizes the PSC to implement this special Georgia requirement but it does not require us to do so. This requirement no longer serves a purpose. I spoke with many legislators as well, and they agreed that it does not commensurate with the time, effort and expense involved for educators. Rick Eiserman will introduce rules today that will remove this requirement.

MOTION: (Epps / Elkins) To notify all educators and appropriate parties of the intent of the Commission to remove the Computer Skills Competency Test as Georgia special requirement. The Executive Secretary will

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waive this requirement immediately until such time as the Georgia Professional Standards Commission rule takes effect. This will also be posted on the PSC web-site.

ACTION: Approved

Abstention: Meredith Hodges and Bill Haskin

B. Initiation of Rules – Rick Eiserman introduced rules for initiation including rules removing the Computer Skill Competency test as a special Georgia requirement. Prior to the vote, Dr. Elkins addressed clarification that changing the validity dates of the Non-Renewable Certificate from 5-years to 3-years does not include the Non-Renewable certificates in the field of Leadership (NL and NPL). The Education Leadership Rule does continue to include a 5-year validity period for the NL and NPL. The discussion portion of the current rule changes will be adjusted for clarification. Dr. Epps recommended a clerical change in 505-2-.06 to remove the (a) in paragraph (3), as an entire paragraph is being removed and there is no longer a paragraph (b).

MOTION: (Epps / Haynes) To initiate rulemaking procedures in accordance with the Georgia Administrative Procedures Act so as to provide for (1) amending the current rules in Chapter 505-2 Certification, effective July 15, 2010, as follows: 505-2-.02, 505-2-.07, 505-2-.09, 505-2-.10, 505-2-.11, 505-2-.20, 505-2-.24, 505-2-.30, and 505-2-.39; and (2) amending the current rules in Chapter 505-3 Educator Preparation, effective July 15, 2010, as follows: 505-3.01.

ACTION: Approved

Abstention: Meredith Hodges and Bill Haskin

C. Legislative Review – A detailed legislative review chart was emailed to all commissioners on March 29th, 2010. All three PSC bills have passed the House and will cross over to the Senate (cross over day was Friday, March 26th). House Bill 1307 which would suspend PLU's for 1 certificate renewal cycle passed the House and will cross over to the Senate. House Bill 923 which extends the completion date set in last year's House Bill 455 will also cross over to the Senate.

D. Kelly Henson asked Chair Debbie Wilkes to cover the election of Commission Vice-Chair. Chair Wilkes announced that the Executive Committee met on Wednesday, April 7th at 3:30 p.m. and recommended Julia Bernath for the position of Commission Vice-Chair. Members of the Executive Committee were Commission Chair (Debbie Wilkes), Educator Ethics Committee Chair (Rose Powell), Educator Preparation Committee Chair (Penny Elkins) and the Executive Secretary. .

MOTION: (Jennette / Powell) To nominate Julia Bernath as Vice-Chair of the Georgia Professional Standards Commission.

ACTION: Approved

Abstention: Meredith Hodges and Bill Haskin

MOTION: (Epps / Elkins) To close the nomination.

ACTION: Approved

Abstention: Meredith Hodges and Bill Haskin

XI. CHAIR'S REPORT

Chair Wilkes announced that the next Commission meeting will be held on Thursday, May 13, 2010 at Two

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Peachtree Street in our fifth floor boardroom.

Chair Wilkes thanked all of the new Commissioners for making the commitment to serve on the Commission.

XII. ADJOURNMENT

Chair Wilkes called for the meeting to be adjourned at 11:30 p.m.

PSC ACTION: Approved