

# MINUTES

## PROFESSIONAL STANDARDS COMMISSION

Two Peachtree Street

Atlanta, Georgia

December 13, 2007

The Georgia Professional Standards Commission (PSC) met on Thursday, December 13, 2007, at 9:05 a.m.

### Members Present

Maria Bradley  
Sallie Bullock  
Stephen Dartt  
Jean Ebron  
Emily Jennette

Maria Miller  
Louisa Moffitt  
Dr. Mary Outlaw  
Rose Powell  
Dr. Craig Smith

Jeannie Tucker  
Hester Vasconcelos  
Dr. Wanda West  
Dr. Debbie Wilkes

### Members Absent

Gary Bechtel  
Lee Muns

Pamela Greenway

### 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: (Miller / West) To approve the agenda.

PSC ACTION: Approved

### III. APPROVAL OF MINUTES

Chair Wilkes called for approval of the minutes from the November 8, 2007, Commission meeting.

PSC ACTION: Approved

### IV. INTRODUCTION OF KELLY HENSON

Chair Wilkes introduced the Georgia Professional Standards Commission's new Executive Secretary, Kelly Henson. Mr. Henson spoke briefly about his background.

### V. INDUCTION OF EMILY JENNETTE

Kelly Henson introduced Emily Jennette and swore her in as our new commissioner. Emily Jennette is the Georgia Department of Education's 2008 Teacher of the Year.

### VI. RECOGNITION OF VISITORS

Chair Wilkes recognized the visitors.

- Margaret Elliott, Professional Association of Georgia Educators
- Wanda Lynn, Georgia Association of Educators (GAE)

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- Gayle Wooten, Professional Association of Georgia Educators
- John Hooper, Georgia School Superintendents Association
- David Dunham, Attorney
- Shavondra Averett, Georgia Association of Educators (GAE)
- Rachel Blankenship, Georgia Association of Educators (GAE)

## **VII. EMPLOYEE SERVICE AWARDS**

Chair Wilkes presented the following with Employee Service Awards and Kelly Henson spoke briefly about them:

Jannice Thompson – 30 Year Service Award

Jannice has had a long and distinguished 30-year career with the State of Georgia. Twenty-two of those years have been spent working with Certification. During the past 30 years she has served the State in various positions including Vital Records, Health Center, Disability Adjudication, Probation Office, Department of Education and Instructional Media Division.

Cassandra Moore – 10 Year Service Award

Cassandra Moore is one of the agencies most valued staff members. Her competence, commitment and dependability sets the standard for others in the Ethics Division. Her insight and knowledge of the cases before the commission provides guidance in the resolution and disposition of ethics cases. We appreciate her work and her commitment to the Educator Ethics Division.

## **VIII. COMMITTEE REPORTS**

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

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

1. Ms. Miller reported that the Committee reviewed 35 **Probable Cause** cases during its December 12, 2007, meeting and brought the following recommendations on behalf of the Committee:

#	CASE #	STANDARDS VIOLATED	RECOMMENDATION
1	07-6-1477	Criminal Acts Misrepresentation or Falsification	Extend Probable Cause Determination for Two PSC Meeting *Send Letter of Intent
2	07-6-1489	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	Reprimand
3	07-6-1493	Criminal Acts Misrepresentation or Falsification	Reprimand
4	07-6-1504	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	Reprimand

#	CASE #	STANDARDS VIOLATED	RECOMMENDATION
5	07-6-1507	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	Revocation
6	07-6-1508	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	Reprimand
7	07-6-1509	Professional Conduct	Extend Probable Cause Determination for Two PSC Meeting (More Information Needed)
8	07-6-1542	Professional Conduct	Revocation
9	07-6-1548	Criminal Acts	Extend Probable Cause Determination for Two PSC Meeting (Still on Probation)
10	07-6-1550	Abuse of Students Professional Conduct Action Taken In Another State	Denial
11	07-6-1561	Abuse of Students Failure to Make a Required Report Action Taken In Another State	Denial
12	07-6-1566	Criminal Acts Action Taken In Another State	Denial
13	07-10-309	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	Reprimand
14	07-3-1100	Abuse of Students Professional Conduct	Suspension – 90 Contract Days
15	07-5-1209	Alcohol or Drugs Improper Remunerative Conduct	Suspension – 20 Contract Days
16	07-5-1275	Abuse of Students Improper Remunerative Conduct Professional Conduct	Reprimand
17	07-5-1281	Abuse of Students Professional Conduct	Reprimand
18	07-5-1331	Criminal Acts Professional Conduct	Suspension – 90 Contract Days
19	07-6-1394	Abuse of Students Professional Conduct	Suspension – 90 Contract Days
20	07-6-1578	Abuse of Students Professional Conduct	No Probable Cause
21	07-7-71	Professional Conduct	No Probable Cause
22	07-8-113	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct Action Taken in Another State	Reprimand
23	07-8-123	Abuse of Students Professional Conduct	No Probable Cause
24	07-8-124	Abuse of Students Professional Conduct	Suspension – 1 Year

#	CASE #	STANDARDS VIOLATED	RECOMMENDATION
25	07-8-125	Misrepresentation or Falsification Professional Conduct	Suspension – 90 Contract Days
26	07-8-164	Misrepresentation or Falsification Public Funds and Property	Suspension – 2 Years
27	07-9-211	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	Reprimand
28	07-9-214	Misrepresentation or Falsification Professional Conduct	No Probable Cause
29	07-9-238	Misrepresentation or Falsification Professional Conduct	Suspension – 90 Contract Days
30	07-9-271	Misrepresentation or Falsification +Public Funds and Property	Suspension – 90 Contract Days
31	07-9-274	Criminal Acts Misrepresentation or Falsification Professional Conduct	Extend Probable Cause Determination Pending Outcome of Criminal Case
32	07-9-282	Professional Conduct	Suspension – 1 Year
33	07-10-299	Professional Conduct	No Probable Cause
34	07-10-317	Misrepresentation or Falsification	Suspension – 1 Year
35	07-10-329	Professional Conduct	No Probable Cause

**PSC ACTION:** Approved

2. Ms. Miller reported that the Educator Ethics Review Committee reviewed 2 *Initial Decisions* and brought the following recommendations on behalf of the Committee:

CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	ADMINISTRATIVE LAW JUDGE SANCTION	RECOMMENDATION
05-4-1569	Misrepresentation or Falsification Professional Conduct	Suspension – 60 Contract Days	Suspension – 60 Contract Days	Accept
05-7-156	Misrepresentation or Falsification Professional Conduct	Suspension – 1 Year	Suspension – 1 Year	Accept

**PSC ACTION:** Approved

3. Ms. Miller reported that the Educator Ethics Review Committee reviewed 19 *Settlement Agreements* and brought the following recommendations on behalf of the Committee:

#	CASE NUMBER	EDUCATOR	SANCTION	RECOMMENDATION
1	06-5-1243	Sheri McLendon	Suspension for One Year Dec. 28, 2007 – Dec. 28, 2008	Accept
2	07-3-1101	Karla Taray Mack	Suspension – 5 Contract Days (Credit for 3 Days) Jan. 2, 2008 – Jan. 3, 2008	Accept
3	07-4-1173	Kathy Nicole Bell	Reprimand	Accept
4	07-4-1202	Chez P. Parker	Suspension – 20 Contract Days Jan. 7, 2008 – Feb. 4, 2008	Accept
5	07-5-1221	Jane Hutto	Suspension – 90 Contract Days Jan. 8, 2008 – May 23, 2008	Accept
6	07-6-1360	Ed Pilcher	Suspension – 5 Contract Days (Retro Active – 5/30/07 – 6/05/07)	Accept
7	07-6-1443	Tammy Marie Bowman	Reprimand	Accept
8	07-6-1448	Richard Lee Westbrook	Reprimand	Accept
9	07-6-1466	Pamela G. Fritz	Reprimand	Accept
10	07-6-1492	Dionne Lipscomb	Reprimand	Accept
11	07-6-1494	Doshia Watts	Reprimand	Accept
12	07-6-1499	Oglesby Jackson	Reprimand	Accept
13	07-6-1557	Kelvin Lamon Portis	Reprimand	Accept
14	07-6-1573	David Hayes Morgan	Reprimand	Accept
15	07-6-1608	Angenette Planter	Reprimand	Accept
16	07-6-1659	Dinah T. Harper	Reprimand	Accept
17	07-7-63	James Holcomb	Suspension – 90 Contract Days (Jan. 7, 2008 – May 27, 2008)	Accept
18	07-8-109	Terry Ivery	Suspension – 5 Contract Days (Jan. 2, 2008 – Jan. 8, 2008)	Accept
19	07-8-152	Donna Bell Collins	Reprimand	Accept

**PSC ACTION:** Approved

4. Ms. Miller reported that the Educator Ethics Review Committee reviewed 8 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee:

CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION	RECOMMENDATION
05-5-1591	Alcohol or Drugs Professional Conduct	Suspension for One Year	No Probable Cause	Accept
05-7-105	Professional Conduct	Suspension for One Year	No Probable Cause	Accept
06-2-931	Abuse of Students Professional Conduct	Suspension for One Year	No Probable Cause	Accept

CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION	RECOMMENDATION
06-3-971	Alcohol or Drugs Professional Conduct	Suspension for One Year	Suspension for Six Months	Accept
06-8-64	Professional Conduct	Denial	No Probable Cause	Accept
06-11-508	Abuse of Students Professional Conduct	Revocation	Suspension for One Year	Accept
07-2-899	Criminal Acts Alcohol or Drugs Professional Conduct	Suspension for One Year	Suspension for Six Months	Accept
07-2-979	Alcohol or Drugs Professional Conduct	Suspension for One Year	Suspension for One Year Partly Retroactive 5/15/07 – 5/15/08	Accept

**PSC ACTION:** Approved

5. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 70 new complaints received during the months of November and December 2007.

**PSC ACTION:** Approved

#### 6. **EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS**

The Educator Ethics Review Committee recommended approval of the 34 *Extensions - Preliminary Investigative Determinations* consisting of the following:

#	CASE #	Complaint Received	#	CASE #	Complaint Received
1.	07-11-383	October 29, 2007	18.	07-11-400	November 5, 2007
2.	07-11-384	October 29, 2007	19.	07-11-401	November 5, 2007
3.	07-11-385	October 29, 2007	20.	07-11-402	November 6, 2007
4.	07-11-386	October 29, 2007	21.	07-11-403	November 6, 2007
5.	07-11-387	October 29, 2007	22.	07-11-404	November 7, 2007
6.	07-11-388	October 29, 2007	23.	07-11-405	November 7, 2007
7.	07-11-389	October 30, 2007	24.	07-11-406	November 8, 2007
8.	07-11-390	October 30, 2007	25.	07-11-407	November 8, 2007
9.	07-11-391	October 30, 2007	26.	07-11-408	November 8, 2007
10.	07-11-392	October 30, 2007	27.	07-11-409	November 8, 2007
11.	07-11-393	October 31, 2007	28.	07-11-410	November 8, 2007
12.	07-11-394	November 1, 2007	29.	07-11-411	November 8, 2007
13.	07-11-395	November 2, 2007	30.	07-11-412	November 8, 2007
14.	07-11-396	November 2, 2007	30.	07-11-413	November 8, 2007
15.	07-11-397	November 2, 2007	32.	07-11-414	November 8, 2007
16.	07-11-398	November 5, 2007	33.	07-11-415	November 8, 2007
17.	07-11-399	November 5, 2007	34.	07-11-416	November 9, 2007

**PSC ACTION:** Approved

### 7. **EXTENSIONS - INVESTIGATIONS**

The Educator Ethics Review Committee recommended granting and *Investigative Extension* to the following 59 Written Complaints and 35 Application cases:

#### **WRITTEN COMPLAINT EXTENSIONS:**

07-6-1516	07-8-103	07-5-1263	07-6-1577	07-8-147	07-8-162	07-5-1285	07-7-41	07-9-210
07-6-1517	07-8-108	07-5-1287	07-6-1579	07-9-237	07-8-171	07-5-1326	07-8-106	07-9-257
07-6-1648	07-8-120	07-5-1335	07-6-1586	07-6-1647	07-8-172	07-5-1340	07-8-122	07-9-255
07-7-37	07-9-217	07-5-1336	07-7-40	07-8-117	07-9-212	07-6-1398	07-8-166	
07-7-42	07-9-229	07-5-1350	07-8-110	07-8-132	07-9-258	07-6-1525	07-8-167	
07-7-60	07-9-239	07-6-1373	07-8-118	07-8-143	07-9-259	07-6-1526	07-8-173	
07-7-65	07-5-1249	07-6-1393	07-8-137	07-8-146	07-9-272	07-6-1582	07-9-205	

#### **APPLICATION CASE EXTENSIONS:**

07-6-1538	07-6-1658	07-7-10	07-8-104	07-9-191	07-9-226	07-9-249
07-6-1539	07-6-1660	07-7-38	07-8-130	07-9-196	07-9-242	07-9-262
07-6-1564	07-7-1	07-7-51	07-8-131	07-9-197	07-9-243	07-9-270
07-6-1568	07-7-6	07-7-67	07-8-135	07-9-204	07-9-247	07-9-283
07-6-1639	07-7-8	07-7-74	07-8-145	07-9-208	07-9-248	07-11-357

**PSC ACTION:** Approved

### 8. **APPLICATIONS FOR CERTIFICATION REPORT**

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 37 cases reflected on the *Applications for Certification Report*.

**PSC ACTION:** Approved

### 9. **VOLUNTARY SURRENDERS / VOLUNTARY DENIALS**

The Educator Ethics Review Committee recommended the following action on the *Voluntary Surrender / Voluntary Denial* case.

#	Case Number	STANDARDS VIOLATED	SANCTION	EERC Recomm.
1.	07-7-43	Criminal Acts Abuse of Students Professional Conduct	Revocation	Accept

**PSC ACTION:** Approved

10. **REVIEW HEARING EXTENSIONS**

The Commission reviewed the *Review Hearing Extensions Report* concerning 2 hearing cases. An Administrative Law Judge rendered Initial Decisions on each case referenced in the report. The report indicates Orders were issued by the Commission to extend time by 30 additional days to preserve the Commission's time to conduct review hearings.

**PSC ACTION:** Approved

11. **STUDENT LOAN SUSPENSION / REINSTATEMENTS**

The Commission reviewed the report, which indicated that there were three certificates suspended from November 8, 2007 through December 13, 2007. There were 4 certificates that had been *reinstated* because restitution is now being made on those student loans. The Committee was also advised that there were 5 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 9 cases now closed without an appeal for a hearing before an Administrative Law Judge. The report also advised that there were no cases closed without an appeal for a review hearing before the Commission.

**B. Educator Preparation Standing Committee**

Committee Chair, Dr. Craig Smith, gave a brief overview of the Educator Preparation Standing Committee's meeting on Wednesday, December 12, 2007. The committee had no items to present to the commission for a vote. Penney McRoy and Tom Hall discussed streamlining the program approval process with the committee. The committee also expressed concern about the operation of on-line and out-of-state programs especially relative to certification. On behalf of the Educator Preparation Standing Committee, Dr. Craig Smith requested that PSC staff examine issues related to online and out-of-state educator preparation programs operating in Georgia.

**IX. REVIEW HEARINGS**

- |                    |                               |
|--------------------|-------------------------------|
| 1. Marion Marshall | - Educator (Case # 05-6-1887) |
| Wayne Magnum       | - Hearing Officer             |
| Rebecca Mick       | - Attorney                    |
| David Dunham       | - Attorney                    |

**MOTION:** (Powell / Vasconcelos) To go into Executive Session and allow PSC staff and attorney(Gary Walker, Penny Hannah and Lisa Hartzler) to remain.

**ACTION:** Approved

**MOTION:** (Miller / Ebron) To come out of Executive Session and reconvene the Regular Session.

**ACTION:** Approved

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**MOTION:** (Vasconcelos / Bradley) 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 with the following specification. The Commission hereby ordered that the Georgia educator certificate held by Marian Marshall be Revoked effective December 13, 2007.

**PSC ACTION:** Approved

**X. EXECUTIVE SECRETARY REPORT**

**A.** Penny Hannah, Assistant Attorney General with the Department of Law, introduced Julie Anderson to the commission. Ms. Anderson is also an attorney with the Department of Law handling Georgia Professional Standards Commission cases.

**B.** Kelly Henson gave a brief overview of personnel items in Georgia Professional Standards Commission. The Director of Educator Preparation position has been posted and we hope to interview potential candidates during the first week of January. Linda Holloman, Program Director for Educator Testing retired November 30, 2007. Her position will be posted soon. Tom Hall, Program Director for Educator Preparation, will be retiring December 31, 2007. He joined the staff in 1991 with the startup of the Commission in its present form. His areas of work responsibility included Computer Technology, Coordination of Information Specialists, Workforce Research, Open Records Response, Special Projects and Educator Preparation Program Approval. His position will also be posted.

**C.** Kelly Henson informed the commission that they will receive a proposed agenda and documents pertaining to the commission meeting ahead of time.

**D.** Dr. Gary Walker gave an information packet to the commissioners for use in the update of the Code of Ethics.

**E.** Rick Eiserman presented the Certification Rules for Adoption. The definition of Leadership will be re-visited and communication on this matter will be forwarded to the commission within the next couple of weeks.

**MOTION:** (Smith / Ebron) To (1) repeal the current rules in Chapter 505-2 (Certification), effective January 15, 2008, as follows: 505-2-.300; (2) amend the current rules in Chapter 505-2 (Certification), effective January 15, 2008, as follows: 505-2-.202 and 505-2-.350; and (3) adopting new rules for Chapter 505-2 (Certification), effective January 15, 2008, as follows: 505-2-.300.

**ACTION:** Approved

**F.** Tom Hall presented information on the “passing score setting for Phase II GACE Assessments”.

**MOTION:** (Vasconcelos / Powell) To approve the following Test Fields at Committee-based Passing Scores -1 SEM/-1 CR Section Point:

Early Childhood Special Education

Birth to Five

Behavioral Science

Latin

**ACTION:** Approved

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**XI. CHAIR'S REPORT**

Chair Wilkes presented the following:

**A.** Governor Perdue has appointed Dr. Holly Robinson as Commissioner of Bright from the Start. Dr. Robinson has resigned as a commissioner from the Georgia Professional Standards Commission. We wish her the best of luck in her new position and thank her for her service with us.

**B.** We are trying to replace the commissioners whose terms have expired. Chair Wilkes met with Kelly Henson to discuss this and the changes that have taken place at the Professional Standards Commission. Commissioners who have any concerns are welcome to contact Kelly Henson or Chair Wilkes to discuss them. Chair Wilkes felt that the transition has gone smoothly.

**C.** We will be hosting the Joint Education Boards Liaison Committee reception on January 28<sup>th</sup> at 5:30 p.m. in our boardroom on the 5<sup>th</sup> floor. I hope that everyone will be able to attend.

**XII. ADJOURNMENT**

Chair Wilkes called for the meeting to be adjourned at 10:50 am.

**PSC ACTION:** Approved