

MINUTES

PROFESSIONAL STANDARDS COMMISSION

Two Peachtree Street

Atlanta, Georgia

February 9, 2012

The Georgia Professional Standards Commission (PSC) met on Thursday, February 9, 2012, at 12:30 p.m.

Members Present

Julia Bernath

Marci Cawthon

Penny Elkins

Dr. Adrian Epps

Heath Garrett

Bill Haskin

David Johnson

Christy McGill

Bettina Polite Tate

Rose Powell

Dr. Lawrence Walters

Pam Walker

Dr. Debbie Wilkes

Pam Williams

Valerie Williams

Members Absent

Alice Clements

Meredith Hodges

Stephanie Leggett

I. CALL TO ORDER

Chair Wilkes called the meeting to order at 12:30 p.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: (Dr. Penny Elkins / Rose Powell) To approve the agenda.

PSC ACTION: Approved

III. APPROVAL OF MINUTES

Chair Wilkes called for approval of the minutes from the January 12, 2011, 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
- Linda Fortson, Warren Fortson law Office
- Cindi Chance, Georgia Association of Colleges for Teacher Education
- Cathy Moore, Georgia Association of Colleges for Teacher Education

V. 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 39 *Probable Cause* cases during its February 9, 2012, meeting and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>STANDARDS VIOLATED</u>	<u>RECOMMENDATION</u>
11-11-583	4, 5, 10	Deny
11-11-608	10	Deny
11-11-669	1, 10	Deny
11-11-670	1, 10	Deny
10-6-1397	1, 2, 10	NPC
11-2-804	2, 10	Suspension 1 Year
11-4-1046	2, 10	Reprimand
11-4-1068	10, 11	Suspension 2 Years
11-5-1117	10	Suspension 15 days
11-7-3	3, 10	Suspension 1 Year
11-7-7	5, 10	Revoke
11-7-23	5, 10	NPC
11-7-88	4,10	Suspension 10 days
11-8-105	10, 11	Suspension 20 days
11-8-171	4, 5, 7, 9, 10	Revoke
11-8-172	4, 5, 7, 9, 10	Suspension 2 Years
11-8-173	4, 5, 7, 9, 10	Suspension 2 Years
11-8-174	4, 5, 7, 9, 10	Suspension 2 Years
11-8-197	1, 10	Revoke
11-8-264	2, 10	Suspension 1 Year
11-9-400	4, 5, 7, 9, 10	Suspension 2 Years
11-9-429	5, 10	Revoke
11-9-433	5, 10	Suspension 1 Year
11-10-483	1, 2, 10	Suspension 1 Year
11-10-485	6, 10	Reprimand
11-10-525	1, 3, 10	Suspension 1 Year
11-11-538	9, 10	Suspension 90 days
11-11-555	2, 10	Reprimand
11-11-573	10	Reprimand

CASE	STANDARDS VIOLATED	RECOMMENDATION
11-11-574	5, 10	Reprimand
11-11-576	2, 9, 10	Revoke
11-11-592	2, 7, 10	Reprimand
11-11-599	4, 10	Suspension 1 Year
11-11-606	2,10	Suspension 3 days
11-11-610	3, 10	Reprimand
11-11-614	2, 10	Suspension 1 Year
11-11-615		NPC
11-12-674	3, 10	Reprimand
11-12-692	1,3,10	Suspension 1 Year

2. Ms. Powell reported that the Educator Ethics Review Committee reviewed 3 *Initial Decisions* and brought the following recommendations on behalf of the Committee:

CASE	STANDARDS VIOLATED	ALJ SANCTION	RECOMMENDATION
10-4-1076	5 (a)	Denial	Affirm
10-6-1382	7, 10	NPC	Review
10-10-448	4, 5 (a), 10	Suspension 20 days	Affirm

3. Ms. Powell reported that the Educator Ethics Review Committee reviewed 2 *Petitions Issues* and brought the following recommendations on behalf of the Committee:

CASE	PREVIOUS SANCTION	RECOMMENDATION
11-12-707	Revocation Aug. 2006	Deny
11-12-672	Revocation July 2006	Deny

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

CASE	SANCTION	RECOMMENDATION
11-5-1098	Suspension 2 Years	Accept

<u>CASE</u>	<u>SANCTION</u>	<u>RECOMMENDATION</u>
11-5-1148	Reprimand	Accept
11-6-1191	Suspension 5 days	Accept
11-6-1228	Suspension 2 Years	Accept
11-10-490	Reprimand	Accept
11-10-503	Reprimand	Accept
11-10-526	Suspension 1 Year	Accept
11-11-609	Suspension 10 days	Accept
11-11-613	Reprimand	Accept

5. Ms. Powell reported that the Educator Ethics Review Committee reviewed 6 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>NEGOTIATED SANCTION</u>	<u>RECOMMENDATION</u>
08-8-137	Suspension 20 days	Accept
09-2-914	Suspension 2 Years	Accept
09-10-494	Reprimand	Accept
10-6-1302	Reprimand	Accept
11-2-726	Reprimand	Accept
11-4-989	Reprimand	Reject

6. OTHER BUSINESS

The Educator Ethics Review Committee recommended approval of the *Other Business Report* as follows:

<u>CASE</u>	<u>PREVIOUS SANCTION</u>	<u>RECOMMENDATION</u>
PET-11-5-1110	Petition for Right to Reapply	Close case
NCO-11-4-977	Revocation (Original sanction)	Accept

7. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 59 new complaints received during the months of January and February 2012.

8. VOLUNTARY SURRENDER/VOLUNTARY DENIAL

The Educator Ethics Review Committee recommended approval of the Voluntary Surrender/Voluntary Denial listed below in which an Educator/Applicant voluntarily accepted a sanction of Revocation or Denial prior to the submission of an investigative case summary for a Probable Cause Determination.

<u>CASE</u>	<u>STANDARDS VIOLATED</u>	<u>SANCTION</u>	<u>RECOMMENDATION</u>
11-7-43	2, 10	Voluntary Surrender	Accept
11-10-531	2, 10	Voluntary Surrender	Accept

9. EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS

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

12-1-724	12-1-729	12-1-734	12-1-739	12-1-744	12-1-749	12-1-754
12-1-725	12-1-730	12-1-735	12-1-740	12-1-745	12-1-750	12-1-755
12-1-726	12-1-731	12-1-736	12-1-741	12-1-746	12-1-751	12-1-756
12-1-727	12-1-732	12-1-737	12-1-742	12-1-747	12-1-752	12-1-758
12-1-728	12-1-733	12-1-738	12-1-743	12-1-748	12-1-753	

10. EXTENSIONS - INVESTIGATIONS

The Educator Ethics Review Committee recommended granting and *Investigative Extension* to the following 272 Written Complaints and 04 Application cases:

<u>WRITTEN COMPLAINT EXTENSIONS</u>							
10-7-34	11-8-115	11-8-149	11-8-203	11-9-285	11-9-379	11-9-414	11-10-529
10-9-331	11-8-116	11-8-150	11-8-210	11-9-298	11-9-380	11-9-415	11-10-532
10-11-478	11-8-117	11-8-151	11-8-216	11-9-302	11-9-381	11-9-416	11-11-534
10-12-553	11-8-118	11-8-152	11-8-217	11-9-304	11-9-382	11-9-417	11-11-536
10-12-562	11-8-119	11-8-153	11-8-218	11-9-311	11-9-383	11-9-418	11-11-539
10-12-569	11-8-120	11-8-154	11-8-219	11-9-321	11-9-384	11-9-419	11-11-542
10-12-611	11-8-121	11-8-155	11-8-220	11-9-332	11-9-385	11-9-420	11-11-551
11-1-646	11-8-122	11-8-156	11-8-221	11-9-333	11-9-386	11-9-421	11-11-552
11-2-794	11-8-123	11-8-157	11-8-222	11-9-337	11-9-387	11-9-422	11-11-554
11-4-915	11-8-124	11-8-158	11-8-223	11-9-342	11-9-388	11-9-423	11-11-560
11-4-999	11-8-125	11-8-159	11-8-224	11-9-343	11-9-389	11-9-424	11-11-561
11-4-1000	11-8-126	11-8-160	11-8-225	11-9-355	11-9-390	11-9-431	11-11-566
11-4-1031	11-8-127	11-8-161	11-8-227	11-9-357	11-9-391	11-9-438	11-11-567
11-5-1118	11-8-128	11-8-162	11-8-228	11-9-358	11-9-392	11-9-444	11-11-568
11-5-1149	11-8-129	11-8-163	11-8-229	11-9-359	11-9-393	11-9-454	11-11-569
11-5-1175	11-8-130	11-8-164	11-8-230	11-9-360	11-9-394	11-9-455	11-11-570
11-6-1192	11-8-131	11-8-165	11-8-231	11-9-361	11-9-395	11-9-456	11-11-571
11-6-1204	11-8-132	11-8-166	11-8-232	11-9-362	11-9-396	11-9-457	11-11-572
11-6-1205	11-8-133	11-8-167	11-8-233	11-9-363	11-9-397	11-9-458	11-11-575
11-6-1221	11-8-134	11-8-168	11-8-234	11-9-364	11-9-398	11-9-459	11-11-585
11-6-1227	11-8-135	11-8-169	11-8-235	11-9-365	11-9-399	11-9-460	11-11-589
11-6-1236	11-8-136	11-8-170	11-8-236	11-9-366	11-9-401	11-10-463	11-11-595
11-6-1272	11-8-137	11-8-175	11-8-237	11-9-367	11-9-402	11-10-480	11-11-598
11-6-1273	11-8-138	11-8-176	11-8-238	11-9-368	11-9-403	11-10-481	11-11-600

WRITTEN COMPLAINT EXTENSIONS							
11-7-2	11-8-139	11-8-177	11-8-239	11-9-369	11-9-404	11-10-484	11-11-601
11-7-25	11-8-140	11-8-178	11-8-240	11-9-370	11-9-405	11-10-486	11-11-603
11-7-84	11-8-141	11-8-179	11-8-241	11-9-371	11-9-406	11-10-492	11-11-659
11-7-87	11-8-142	11-8-180	11-8-242	11-9-372	11-9-407	11-10-501	11-11-662
11-7-89	11-8-143	11-8-181	11-8-249	11-9-373	11-9-408	11-10-505	11-11-665
11-7-91	11-8-144	11-8-182	11-8-255	11-9-374	11-9-409	11-10-511	11-11-671
11-7-97	11-8-145	11-8-183	11-8-263	11-9-375	11-9-410	11-10-513	
11-7-98	11-8-146	11-8-185	11-9-268	11-9-376	11-9-411	11-10-519	
11-7-99	11-8-147	11-8-200	11-9-275	11-9-377	11-9-412	11-10-521	
11-8-114	11-8-148	11-8-201	11-9-284	11-9-378	11-9-413	11-10-522	

APPLICATION CASE EXTENSIONS				
10-12-623	11-3-876	11-6-1249	11-10-500	

11. **APPLICATIONS FOR CERTIFICATION REPORT**

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 26 cases reflected on the *Applications for Certification Report*.

12. **REVIEW HEARING EXTENSIONS**

The Commission reviewed the *Review Hearing Extensions Report* concerning 3 hearing cases. An Administrative Law Judge rendered Initial Decisions on each case referenced in the report. The report indicates Orders were issued.

13. **STUDENT LOAN SUSPENSION / REINSTATEMENTS**

The Commission reviewed the report, which indicated that there were no certificates suspended from January 12, 2012 through February 9, 2012. There was 1 certificate that had been *reinstated* because restitution is now being made on that student loan. There were no issues where notification had been received to suspend but releases were received prior to the actual suspension being implemented.

14. **FINAL DECISIONS BY OPERATION OF LAW**

The Commission reviewed the report, which advised of 4 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 case #'s 11-11-573, 08-8-137 and 10-6-1382.

PSC ACTION: Approved

Abstention: Case # 11-8-105 – Julia Bernath, Case # 12-1-744 – Dr. Adrian Epps, Case # 12-1-742 – Dr. Larry Walters

Initial Decision Case # 10-6-1382

MOTION: (Rose Powell / David Johnson) To add case # 10-6-1382 so that they can be reviewed together.

PSC ACTION: Approved

Probable Cause Case # 11-11-573

MOTION: (Dr. Penny Elkins / Rose Powell) To accept the Educator Ethics Review Committee's recommendation for a Reprimand.

PSC ACTION: Approved

Negotiated Consent Order Case # 08-08-137

MOTION: (Dr. Penny Elkins / Rose Powell) To accept the Educator Ethics Review Committee's recommendation to accept a Suspension of 20 days.

PSC ACTION: Approved

B. Educator Preparation Standing Committee

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

Reports Requiring Approval	
Developmental Approval of Programs (Three)	
	Unit Number
1.	5240
2.	8644
3.	10021
Rescind Developmental Approval	
	Unit Number
1.	2920
Continuing Approval of Unit and Programs (Two)	
	Unit Number
1.	2920
2.	10037
Progress Report Approval (One)	
	Unit Number
1.	5080

RECOMMENDATIONS		
	Unit Number	
1.	5240	Developmental Approval
2.	8644	Developmental Approval
3.	10021	Continuing Approval & Developmental Approval
4.	2920	Rescind Developmental Approval
5.	2920	Continuing Approval
6.	10037	Continuing Approval
7.	5080	Progress is Satisfactory

SYNOPSIS				
	Unit Number	Standards	Detailed Approval Recommendations	Additional Action Required
1.	5240	1-8	The Committee recommends Developmental Approval for the Special Education Transition Specialist Endorsement program.	
2.	8644	1-8	The Committee recommends Developmental Approval for the Special Education Transition Specialist Endorsement program.	The Committee further recommends the submission of a Progress Report addressing the areas for improvement cited in the Board of Examiners' Report in conjunction with the Annual Report due November 15, 2012.
3.	10021	1-8	The Committee recommends Continuing Approval for the Birth through Five program, the Early Childhood Education program, the Reading Endorsement, the ESOL Endorsement; and the Committee recommends Developmental Approval for the Science Education program-Biology and the Special Education Preschool Endorsement program.	

	Unit Number	Standards	Detailed Approval Recommendations	Additional Action Required
4.	2920	1-8	The Committee recommends rescinding the January 12, 2012 vote for Developmental Approval of the professional education unit and all educator preparation programs.	
5.	2920	1-8	The Committee recommends Continuing Approval for the professional education unit at the initial and advanced levels, the Early Childhood Education program, the English Education program, the Mathematics Education program, and the Middle Grades Education program.	The Committee recommends the unit submit an Action Plan on February 11, 2013, describing how all areas for improvement will be addressed. The Committee further recommends the submission of a Progress Report by February 9, 2015, including actions taken to address the areas for improvement and evidence of their implementation.
6.	10037	1-8	The Committee recommends Continuing Approval for the Special Education General Curriculum/Early Childhood Program, the Science Education Program-Biology, and the Mathematics Education Program.	
7.	5080	4	The Committee recommends that Progress is Satisfactory and the area for improvement cited for Standard 4 may be removed.	

Chair Wilkes called for approval of the Educator Preparation Committee report as presented by Dr. Penny Elkins which includes rescinding the January 2012 developmental approval for unit 2920.

PSC ACTION: Approved

VI. ADJOURNMENT

Chair Wilkes called for the meeting to be adjourned at 1:10 pm.

PSC ACTION: Approved