

# MINUTES

## PROFESSIONAL STANDARDS COMMISSION

Two Peachtree Street

Atlanta, Georgia

January 8, 2009

The Georgia Professional Standards Commission (PSC) met on Thursday, January 8, 2009, at 9 a.m.

### Members Present

Julia Bernath  
Maria Bradley  
Sallie Bullock  
Stephen Dartt

Joy Hawkins  
Stephanie Haynes  
Emily Jennette  
Dr. Louisa Moffitt  
Rose Powell

Dr. Craig Smith  
Dr. Ed Smith  
Jeannie Tucker  
Dr. Hester Vasconcelos  
Dr. Debbie Wilkes

### Members Absent

Dr. Mary Outlaw  
Al George

Pamela Greenway  
Penny Benton

### 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:** (Bradley / Powell) To approve the agenda.

**PSC ACTION:** Approved

### III. INDUCTION OF NEW COMMISSIONERS

Kelly Henson introduced the following new commissioners and swore them in:

Joy Hawkins, Atlanta – Hawkins is VP Regional Education with the Metro Atlanta Chamber of Commerce. Hawkins previously served as deputy chief operating officer in the Office of Governor Perdue. She is a member of the State Bar of Georgia and has served three terms as a school council member in her children's public school. She was recently appointed to the DeKalb County Public Schools Foundation Board and is serving her second term on the Georgia Commission for Child Support. Hawkins earned a bachelor's degree and a law degree from Georgia State University. She has two children.

Stephanie L. Haynes, Macon – Haynes is an academic math coach at Clifton Ridge Middle School. She is a Master Teacher and a member of the Georgia Association of Educators and the Georgia Council of Supervisors of Mathematics. She serves as an advisory board member of BRIDGE. Haynes earned a bachelor's degree from Mercer University and is currently pursuing a master's degree. She has one child.

Edwin D. Smith, Ed.D., LaGrange – Smith is superintendent of Troup County Schools. He serves on the board of directors for LaGrange Development Authority, Communities-In-Schools of Troup County, United Way of West Georgia and West Georgia Technical College. He is a member of the Professional Association of Georgia Educators, the Georgia Association of Educational Leadership, and the National Association of Curriculum

Development. Smith earned a bachelor’s degree and a master’s degree from Auburn University and a doctoral degree from the University of West Georgia. He and his wife, Deborah, have three children.

**IV. APPROVAL OF MINUTES**

Chair Wilkes called for approval of the minutes from the December 11, 2008, Commission meeting.

**PSC ACTION:** Approved

**V. RECOGNITION OF VISITORS**

Chair Wilkes recognized the visitors.

- Margaret Elliott, Professional Association of Georgia Educators
- John Hooper, Georgia School Superintendents Association
- Bill Ware, Georgia Association of Colleges for Teachers

**VI. COMMITTEE REPORTS**

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

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

1. Mr. Dartt reported that the Committee reviewed 44 **Probable Cause** cases during its January 7, 2009, meeting and brought the following recommendations on behalf of the Committee:

#	CASE #	STANDARDS VIOLATED	RECOMMENDATION
1	08-6-1539	Criminal Acts Misrepresentation or Falsification	Reprimand
2	08-7-44	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct Action Taken in Another State	Denial
3	08-7-105	Criminal Acts Professional Conduct	Extend Probable Cause Determination Pending Outcome of Criminal Charges
4	08-8-171	Criminal Acts Professional Conduct	Denial
5	08-8-177	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	Suspension – 5 Contract Days
6	08-8-178	Criminal Acts Misrepresentation or Falsification Professional Conduct	Reprimand
7	08-8-188	Criminal Acts Professional Conduct	Reprimand

#	CASE #	STANDARDS VIOLATED	RECOMMENDATION
8	08-8-192	Misrepresentation or Falsification Professional Conduct Action Against Other Professional License	Denial
9	08-8-193	Criminal Acts Misrepresentation or Falsification	Reprimand
10	08-8-196	Criminal Acts Professional Conduct Other Good and Sufficient Cause	Denial
11	08-8-199	Criminal Acts	Reprimand
12	08-8-201	Misrepresentation or Falsification Professional Conduct Action Taken In Another State	Revocation
13	08-3-843	Abuse of Students Professional Conduct	Suspension – 90 Contract Days
14	08-4-1094	Abuse of Students Professional Conduct	Suspension – 5 Contract Days
15	08-4-1213	Abuse of Students Public Funds and Property Professional Conduct	Suspension – 1 Year
16	08-5-1322	Public Funds and Property Professional Conduct	Suspension – 45 Contract Days
17	08-5-1323	Public Funds and Property Professional Conduct	Suspension – 45 Contract Days
18	08-5-1329	Confidential Information Professional Conduct	No Probable Cause
19	08-5-1360	Public Funds and Property Professional Conduct	Suspension – 10 Contract Days
20	08-5-1361	Public Funds and Property Professional Conduct	Suspension – 10 Contract Days
21	08-6-1510	Alcohol or Drugs Misrepresentation or Falsification Public Funds and Property Professional Conduct	Suspension – 90 Contract Days
22	08-6-1521	Misrepresentation or Falsification Professional Conduct	Suspension – 20 Contract Days
23	08-6-1523	Professional Conduct	Suspension – 20 Contract Days
24	08-6-1549	Confidential Information Professional Conduct	Suspension – 20 Contract Days
25	08-7-24	Confidential Information Professional Conduct	Suspension – 20 Contract Days
26	08-7-32	Public Funds and Property Professional Conduct	Suspension – 30 Contract Days
27	08-8-140	Misrepresentation or Falsification Professional Conduct	Suspension – 20 Contract Days
28	08-8-159	Misrepresentation or Falsification Professional Conduct	Suspension – 1 Year
29	08-9-288	Misrepresentation or Falsification Public Funds and Property	No Probable Cause
30	08-9-289	Misrepresentation or Falsification Public Funds and Property	No Probable Cause
31	08-9-292	Misrepresentation or Falsification Public Funds and Property	No Probable Cause

#	CASE #	STANDARDS VIOLATED	RECOMMENDATION
32	08-9-293	Misrepresentation or Falsification Public Funds and Property Professional Conduct	No Probable Cause
33	08-9-297	Misrepresentation or Falsification Public Funds and Property	No Probable Cause
34	08-9-304	Abuse of Students Professional Conduct +CRIMINAL ACTS	Suspension – 2 Years
35	08-9-306	Abuse of Students Professional Conduct	Reprimand
36	08-10-391	Criminal Acts Abuse of Students Misrepresentation or Falsification Failed to file a Required Report Professional Conduct Other Good and Sufficient Cause	Revocation
37	08-10-449	Failed to file a Required Report Professional Conduct	Reprimand
38	08-10-455	Criminal Acts Abuse of Students Professional Conduct Other Good and Sufficient Cause	Revocation
39	08-10-456	Misrepresentation or Falsification Professional Conduct	Extend Probable Cause Determination Until March 12, 2009
40	08-10-466	Misrepresentation or Falsification Confidential Information Professional Conduct	Suspension – 5 Contract Days
41	08-10-472	Alcohol or Drugs Professional Conduct	Suspension – 1 Year
42	08-10-481	Alcohol or Drugs Professional Conduct	Suspension – 1 Year
43	08-10-483	Criminal Acts Abuse of Students Professional Conduct Other Good and Sufficient Cause	Revocation
44	08-10-492	Criminal Acts Abuse of Students Public Funds and Property Professional Conduct Other Good and Sufficient Cause	Revocation

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

CASE #	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	ADMINISTRATIVE LAW JUDGE SANCTION	RECOMMENDATION
07-6-1542	Professional Conduct	Revocation	Revocation	Accept
07-6-1550	Abuse of Students Professional Conduct Action Taken in Another State	Denial	Reprimand	REVIEW
08-1-665	Abuse of Students Public Funds and Property Professional Conduct	Suspension - 1 Year	No Probable Cause	Accept

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

CASE NUMBER	REQUEST	PREVIOUS SANCTION	PREVIOUS VIOLATION	RECOMMENDATION
08-9-280	Right to Reapply	Revoked - 1994	Abuse of Students Professional Conduct	DENY
08-11-589	Right to Reapply	Revoked - 1995	Public Funds and Property Professional Conduct	Grant

4. Mr. Dartt reported that the Educator Ethics Review Committee reviewed 11 *Settlement Agreements* and brought the following recommendations on behalf of the Committee:

#	CASE NUMBER	SANCTION	RECOMMENDATION
1	08-4-1093	Suspension – 3 Contract Days Retroactive – System Suspension March 6, 2008 – March 10, 2008	Accept
2	08-5-1280	Reprimand	Accept
3	08-5-1287	Reprimand	Accept
4	08-5-1351	Suspension - 90 Contract Days Retroactive - Unemployed August 7, 2008 - Dec. 19, 2008	Accept
5	08-6-1426	Reprimand	Accept
6	08-6-1488	Suspension – 20 Contract Days Retroactive – System Suspension May 1, 2008 – May 29, 2008	Accept
7	08-7-100	Reprimand	Accept
8	08-7-110	Reprimand	Accept
9	08-8-133	Reprimand	Accept
10	08-8-136	Suspension - 90 Contract Days Part Retroactive Jan. 5, 2009 – May 20, 2009	Accept
11	08-8-214	Reprimand	Accept

5. Mr. Dartt reported that the Educator Ethics Review Committee reviewed 10 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee:

CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION	RECOMMENDATION
06-10-380	Failure to Make a Required Report Professional Conduct	Reprimand	Warning	REJECT
07-1-765	Criminal Acts Misrepresentation or Falsification	Denial	Reprimand	Accept
07-6-1571	Alcohol or Drugs Professional Conduct	Suspension - 2 Years	Suspend - 2 Years (Part Retro) 06/4/08 - 06/3/10	Accept
07-8-104	Failure to Make a Required Report	Suspension - 1 Year	Reprimand	Accept
08-3-1003	Professional Conduct	Revocation	Revocation	Accept
08-4-1128	Criminal Acts Failure to Make a Required Report Action Taken in Another State	Denial	Reprimand	Accept
08-5-1236	Public Funds and Property Professional Conduct	Suspension - 1 Year	Suspend - 1 Year (Part Retro) 05/1/08 - 05/1/09	Accept
08-5-1254	Confidential Information	Reprimand	No Probable Cause	Accept
08-5-1258	Public Funds and Property Professional Conduct	Suspension - 90 Contract Days	Suspend - 90 Days (Part Retroactive) 05/1/08 - 01/31/09	Accept
08-5-1295	Confidential Information Professional Conduct	Suspension - 90 Contract Days	Suspend - 90 Days (Retroactive) 05/1/08 - 11/12/08	Accept

#### 6. **VOLUNTARY SURRENDERS / VOLUNTARY DENIALS**

The Educator Ethics Review Committee recommended approval of the Voluntary Surrender / Voluntary Denial Report as follows:

#	Case Number	STANDARDS VIOLATED	SANCTION	EERC Recomm.
1	08-8-157	Abuse of Students Professional Conduct	Revocation	Accept
2	08-10-408	Criminal Acts Abuse of Students Professional Conduct	Revocation	Accept
3	08-10-413	Abuse of Students Professional Conduct Other Good and Sufficient Cause	Revocation	Accept
4	08-11-607	Criminal Acts Abuse of Students Public Funds and Property Professional Conduct	Revocation	Accept
5	08-11-608	Criminal Acts Abuse of Students Professional Conduct	Revocation	Accept

7. The Educator Ethics Review Committee recommended approval of the ***Preliminary Investigative Determination Report*** consisting of 67 new complaints received during the months of December 2008 and

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

The Educator Ethics Review Committee recommended approval of the 41 Extensions - Preliminary Investigative Determinations consisting of the following:

#	CASE #	Complaint Received	#	CASE #	Complaint Received
1	08-12-620	11/25/2008	22	08-12-642	12/4/2008
2	08-12-621	11/25/2008	23	08-12-643	12/4/2008
3	08-12-622	11/25/2008	24	08-12-644	12/4/2008
4	08-12-623	11/25/2008	25	08-12-645	12/4/2008
5	08-12-624	11/25/2008	26	08-12-646	12/4/2008
6	08-12-625	12/1/2008	27	08-12-647	12/4/2008
7	08-12-626	12/1/2008	28	08-12-655	12/8/2008
8	08-12-627	12/2/2008	29	08-12-656	12/8/2008
9	08-12-628	12/3/2008	30	08-12-657	12/8/2008
10	08-12-629	12/3/2008	31	08-12-658	12/8/2008
11	08-12-630	12/3/2008	32	08-12-659	12/8/2008
12	08-12-631	12/3/2008	33	08-12-660	12/8/2008
13	08-12-632	12/3/2008	34	08-12-661	12/8/2008
14	08-12-633	12/3/2008	35	08-12-662	12/8/2008
15	08-12-634	12/3/2008	36	08-12-663	12/8/2008
16	08-12-635	12/3/2008	37	08-12-684	11/25/2008
17	08-12-636	12/3/2008	38	08-12-685	11/25/2008
18	08-12-637	12/3/2008	39	08-12-686	11/25/2008
19	08-12-639	12/4/2008	40	08-12-687	11/25/2008
20	08-12-640	12/4/2008	41	08-12-688	11/25/2008
21	08-12-641	12/4/2008			

**PSC ACTION:** Approved

### 9. **EXTENSIONS - INVESTIGATIONS**

The Educator Ethics Review Committee recommended granting and *Investigative Extension* to the following 53 Written Complaint cases and 49 Application cases:

**WRITTEN COMPLAINT EXTENSIONS:**

08-10-385	08-3-847	08-10-490	08-5-1316	08-8-134	08-9-305	08-10-398	08-8-131	08-10-410	08-10-463	08-9-295
08-10-468	08-8-137	07-11-383	08-5-1369	08-8-224	08-10-387	08-10-405	08-8-215	08-10-411	08-10-494	08-9-296
08-10-471	08-10-414	07-12-586	08-6-1500	08-7-31	08-10-395	08-10-460	08-8-240	08-10-453	08-7-78	08-10-450
08-10-484	08-10-415	08-3-1050	08-6-1550	08-8-217	08-10-396	08-6-1399	08-9-312	08-10-454	08-9-290	
07-12-607	08-10-470	08-5-1251	08-7-68	08-9-287	08-10-397	08-7-97	08-10-402	08-10-459	08-9-291	

**APPLICATION CASE EXTENSIONS:**

08-7-98	08-8-203	08-9-317	08-9-332	08-9-346	08-10-431	08-11-532	08-11-541	08-11-549	08-11-560
08-7-107	08-8-205	08-9-321	08-9-333	08-10-386	08-10-435	08-11-533	08-11-543	08-11-552	08-11-562
08-8-189	08-9-277	08-9-323	08-9-336	08-10-425	08-10-444	08-11-537	08-11-544	08-11-555	08-11-563
08-8-194	08-9-308	08-9-328	08-9-339	08-10-426	08-10-479	08-11-538	08-11-546	08-11-557	08-11-568
08-8-202	08-9-314	08-9-330	08-9-345	08-10-428	08-11-529	08-11-540	08-11-548	08-11-558	

**10. APPLICATIONS FOR CERTIFICATION REPORT**

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 7 cases reflected on the *Applications for Certification Report*.

**11. REVIEW HEARING EXTENSIONS**

The Commission reviewed the *Review Hearing Extensions Report* concerning 4 hearing cases. An Administrative Law Judge rendered Initial Decisions on each case referenced in the report. The report indicates Orders were issued.

**12. STUDENT LOAN SUSPENSION / REINSTATEMENTS**

The Commission reviewed the report, which indicated that there were 5 certificates suspended from December 11, 2008 through January 8, 2009. There were 2 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.

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

The Commission reviewed the report, which advised of 16 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 report as presented excluding the following:

Negotiated Settlements Case # 06-10-380

Preliminary Investigations Case # 08-12-669

Probable Cause Case # 02-10-466

**PSC ACTION:** Approved

Abstention: Dr. Ed Smith, Stephanie Haynes, Joy Hawkins, Dr. Craig Smith-Negotiated Settlement Case # 06-10-380



**Preliminary Investigative Determination Case # 08-12-669**

**MOTION:** (Tucker / Bradley) To grant a No Probable Cause to Investigate Case # 08-12-669.

**PSC ACTION:** Approved

Opposed: Stephen Dartt, Hester Vasconcelos, Dr. Louisa Moffitt

Abstention: Dr. Ed Smith, Stephanie Haynes, Joy Hawkins

**Probable Cause Case # 08-10-466**

**MOTION:** (Moffitt / Bernath) To drop Confidential Information from the Standards Violated and grant a Reprimand..

**PSC ACTION:** Approved

Opposed: Hester Vasconcelos

Abstention: Dr. Ed Smith, Stephanie Haynes, Joy Hawkins, Maria Bradley

**Negotiated Settlement Agreements Case # 06-10-380**

**MOTION:** (Smith / Bradley) To grant.

**PSC ACTION:** Approved

Abstention: Dr. Ed Smith, Stephanie Haynes, Joy Hawkins

**B. Educator Preparation Standing Committee**

Committee Chair, Dr. Craig Smith, presented the report of the Educator Preparation Standing Committee.

<b>Agency/Institution</b>	<b>Approval Recommendation</b>
<b>First District RESA</b>	The committee recommends Developmental Approval for the Special Education Preschool Endorsement Program with Areas for Improvement addressed in the Annual Report.
<b>Mercer University</b>	The committee recommends Developmental Approval for the School Counseling Program.
<b>Central Savannah River Area RESA</b>	The committee recommends that progress on the Gifted Endorsement is unsatisfactory. No additional candidates are to be admitted to the Gifted Endorsement Program until the Areas for Improvement are corrected and removed by the Commission. A Progress Report is due on February 20, 2009 addressing the following questions and issues: <u>Standard 1:</u> Provide evidence that a rubric is used to evaluate the reflective journal and candidate dispositions <u>Standard 2:</u> Identify which measures/assessments are specific to the Gifted Endorsement, and which are common in the unit? What is the 'comprehensive set' and how are they then analyzed with specific, objective measures? <u>Standard 3:</u> How will the new field experience plan be evaluated?
<b>Valdosta State University</b>	The committee recommends Developmental Approval for the Online Teaching Endorsement with the area for improvement addressed in the Annual Report.

Agency/Institution	Approval Recommendation
<b>Atlanta Christian College</b>	The committee recommends that the PSC grant the institution's request to defer the fall 2011 on-site, PSC/NCATE Continuing Approval Review until fall 2012.
<b>Augusta State University</b>	The committee recommends that the PSC grant the institution's request to defer the spring 2011 on-site, PSC/NCATE Continuing Approval Review until spring 2012.
<b>Brenau University</b>	The committee recommends that the PSC grant the institution's request to defer the fall 2010 on-site, PSC/NCATE Continuing Approval Review until fall 2011.
<b>Columbus State University</b>	The committee recommends that the PSC grant the institution's request to defer the Spring 2012 on-site, PSC/NCATE Continuing Approval Review until Spring 2013.
<b>Emory University</b>	The committee recommends that the PSC grant the institution's request to defer the fall 2013 on-site, PSC/NCATE Continuing Approval Review until fall 2014.
<b>Georgia College and State University</b>	The committee recommends that the PSC grant the institution's request to defer the fall 2011 on-site, PSC/NCATE Continuing Approval Review until fall 2012.
<b>Kennesaw State University</b>	The committee recommends that the PSC grant the institution's request to defer the fall 2011 on-site, PSC/NCATE Continuing Approval Review until fall 2012.
<b>Oglethorpe University</b>	The committee recommends that the PSC grant the institution's request to defer the spring 2012 on-site, PSC Continuing Approval Review until spring 2013.
<b>Paine College</b>	The committee recommends that the PSC grant the institution's request to defer the spring 2011 on-site, PSC/NCATE Continuing Approval Review until spring 2012.

Chair Wilkes called for approval of the report as presented by Dr. Craig Smith.

**PSC ACTION:** Approved

Abstention: Dr. Ed Smith, Stephanie Haynes and Joy Hawkins

### **Clark-Atlanta University**

An additional request for deferral of an on-site PSC/NCATE Continuing Review was submitted by Clark Atlanta University. There were problems with the mail and the letter was not received by Educator Preparation Division staff in time to include it for consideration by the EPSC yesterday (Wednesday, January 7), therefore there is no EPSC recommendation for this request. Clark Atlanta University meets all the criteria for deferral of their spring 2010 on-site PSC/NCATE Continuing Review; they request the review be deferred until the spring semester of 2011.

**MOTION:** (Vasconcelos / Bradley) To accept the recommendations from Educator Preparation Standing Committee to grant the institution's request to defer the Spring 2010 on-site, PSC/NCATE Continuing Approval Review until Spring 2011.

**PSC ACTION:** Approved

Abstention: Dr. Ed Smith, Stephanie Haynes and Joy Hawkins

## **VII. EXECUTIVE SECRETARY REPORT**

The Executive Secretary presented the following:

- A.** The 2009 legislative session begins soon. The Governor and legislators have a few substantive items regarding education. I will keep all of you updated focusing on issues pertaining to PSC.
- B.** The HR 1103 recommendations are being finalized. Once this is completed, I will forward a copy to Senator Weber and Representative Coleman for their approval. I would like to thank Anne Marie Fenton and Kristina Stroede for their help in finalizing the document.
- C.** I would like to thank Gary Walker, Tanis Miller, John Grant and Penny Hannah for their work on the Revised Code of Ethics. I would like to request that commissioners arrive at our offices at 10:30 on Wednesday, February 11<sup>th</sup> so that we can review this document.
- D.** Kristina Stroede briefly reviewed the budget for FY09 and FY10
- E.** Dr. David Hill spoke about out-of-state and on-line programs

## **VIII. CHAIR'S REPORT**

Chair Wilkes presented the following:

- A.** Dr. Hester Vasconcelos told the Commission that Walton High School (Marietta) was named an International Spanish Academy (ISA) by the Ministry of Education of Spain. The collaborative program is intended to develop a quality Spanish & English bilingual program that will promote high academic standards for all students, as well as provide them with the values of multicultural education, and sets as its goal to foster international relations and the understanding between cultures, preparing students to achieve oral and written competence in both languages for both academic purposes and interpersonal communication.

The Ministry, through the Office of Education and Science of the Embassy of Spain, offers the ISA school access to double academic accreditation, specialized visiting teachers, courses for teachers and school administrators in Spanish universities, scholarships for summer institutes, professional development, classroom materials and teaching resources, and language and culture assistants. Walton is the first ISA in Georgia and hopes that other schools and districts will take advantage of this opportunity.

- B.** Chair Wilkes announced that the next Commission meeting will be held on Thursday, February 12<sup>th</sup> at 9 a.m. at Two Peachtree Street on the 5<sup>th</sup> floor.

## **IX. ADJOURNMENT**

Chair Wilkes called for the meeting to be adjourned at 11:05 am.

**PSC ACTION:** Approved