

MINUTES

PROFESSIONAL STANDARDS COMMISSION

Two Peachtree Street

Atlanta, Georgia

March 10, 2011

The Georgia Professional Standards Commission (PSC) met on Thursday, March 10, 2011, at 12:30 p.m.

Members Present

Julia Bernath

Marci Cawthon

Alice Clements

Penny Elkins

Dr. Adrian Epps

Bill Haskin

Meredith Hodges

David Johnson

Stephanie Leggett

Andre Mountain

Bettina Polite Tate

Rose Powell

Jeannie Tucker

Dr. Lawrence Walters

Dr. Debbie Wilkes

Valerie Williams

Members Absent

Pam Walker

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: (Epps / Powell) To approve the agenda.

PSC ACTION: Approved

III. APPROVAL OF MINUTES

Chair Wilkes called for approval of the February 9, 2011 and February 10, 2011.

PSC ACTION: Approved

IV. VISITORS

Chair Wilkes welcomed the visitors.

- Margaret Elliott, Professional Association of Georgia Educators
- Bill Russell, Lincoln Memorial University
- John Hooper, Georgia School Superintendents Association (GSSA)
- Tayin Donald, Georgia Association of Educators (GAE)
- Linda Fortson, Warren Fortson Law Office
- Tricia Audrain, Georgia Association of Educators (GAE)
- Cindi Chance, Georgia Association of Colleges for Teacher Education
- Ron Swanson, Argosy University

- Murray Bradfield, Argosy University

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.

1. Ms. Powell reported that the Committee reviewed 24 *Probable Cause* cases during its March 10, 2011, meeting and brought the following recommendations on behalf of the Committee:

Probable Cause Cases			Recommendations
#	Case #	Standard	EERC
1.	11-2-749	Prof. Cert.	Reprimand
2.	10-6-1286	4 & 10	Suspension - 20 days
3.	10-6-1292	4, 5, & 10	Suspension - 3 Days
4.	10-6-1384	4 & 10	Suspension - 90 Days
5.	10-8-151	4	Extend
6.	10-8-186	5, 10	Suspension - 20 Days
7.	10-8-187	5, 10	Suspension - 20 Days
8.	10-9-280	2, 10	Suspension - 90 Days
9.	10-9-310	10	Reprimand
10.	10-9-313	5, 10	Reprimand
11.	10-9-315	4 & 10	Suspension - 45 days
12.	10-9-326	2 & 10	Revoke
13.	10-9-332	5 & 10	Revoke
14.	10-9-334	2, 10	Suspension - 90 Days
15.	10-10-398	10, 11	Suspension - 1 year
16.	10-10-402	4, 5, 10	Suspension - 5 Days
17.	10-10-419	1, 4, 10	Suspension - 10 Days
18.	10-10-433	5 & 10	Suspension - 10 Days
19.	10-10-441	10	Suspension - 20 days
20.	10-11-450	3, 10	Suspension - 1 Year
21.	10-11-455	2, 4, 10	Revoke
22.	10-11-498	3 & 10	Suspension - 1 Year
23.	10-12-610	2 & 10	Revoke
24.	11-1-660	10, 11	Suspension - 20 Days

2. Ms. Powell reported that the Educator Ethics Review Committee reviewed 4 *Initial Decisions* and brought the following recommendations on behalf of the Committee:

Initial Decisions of ALJ				Recommendations
#	Case #	Original	ALJ	EERC
1.	08-4-1141	Suspension-90 Days	Suspension-90 Days	Accept
2.	09-7-94	Suspension-1 Year	NPC	Accept
3.	09-7-95	Suspension-1 Year	Revocation	Accept
4.	10-1-690	Reprimand	Reprimand	Accept

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

Petitions for Right to Reapply				Recommendations
#	Case #	Sanction	Petition	EERC
1.	10-11-497	VS Revocation	Reapply	Deny

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

<u>CASE</u>	<u>SANCTION</u>	<u>EERC RECOMMENDATION</u>
10-6-1277	Suspension - 1 Year	Accept
10-7-35	Suspension - 20 Days	Accept
10-7-57	Suspension - 10 Days	Accept
10-8-132	Suspension - 20 Days	Accept
10-8-157	Suspension - 1 Year	Accept
10-9-271	Suspension - 5 Days	Accept
10-9-305	Suspension - 2 Years	Accept
10-9-324	Suspension - 5 Days	Accept
10-10-427	Suspension - 5 Days	Accept
10-12-579	Reprimand	Accept

5. Ms. Powell reported that the Educator Ethics Review Committee reviewed 23 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>NEGOTIATED SANCTION</u>	<u>EERC RECOMMENDATION</u>
08-4-1141	Suspension - 90 Days	Reject
08-6-1420	Suspension - 65 Days	Accept
08-6-1559	Suspension - 90 Days	Accept
08-8-240	Warning	Accept
08-9-307	Suspension - 45 Days	Accept

<u>CASE</u>	<u>NEGOTIATED SANCTION</u>	<u>EERC RECOMMENDATION</u>
08-9-339	Reprimand	Accept
08-10-471	Suspension - 3 Years	Reject
8-12-664	Suspension - 10 Days	Accept
09-6-1360	NPC	Accept
09-9-297	Suspension - 5 Days	Reject
09-9-359	NPC	Accept
09-11-581	Suspension - 1 Year	Accept
10-1-732	Reprimand	Accept
10-2-842 & 10-6-1301	Suspension - 45 Days	Accept
10-2-857	Suspension - 90 Days	Accept
10-3-940	Warning	Accept
10-3-998	Suspension - 5 Days	Reject
10-4-1014	No Recommendation	Reject
10-5-1138	Revocation	Accept
10-6-1261	Suspension - 3 Days	Accept
10-6-1381	Reprimand	Accept
10-7-28	Suspension - 20 Days	Reject
10-7-90	Reprimand	Accept

6. OTHER BUSINESS

The Educator Ethics Review Committee recommended approval of the 2 *Other Business Report* as follows:

<u>CASE</u>	<u>COMMENTS</u>	<u>RECOMMENDATION</u>
10-8-191	The educator submitted a Petition for the Right to Reapply in August 2010. In September, she was asked to provide us with her criminal history report. To date, there has been no report provided and no other response from the educator.	Deny Petition due to failure to provide required information.
09-8-200	Close case as "Hold New Application" due to inability to effect service of Notice of Investigation.	Close Case

7. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 87 new complaints received during the months of February 2011 and March 2011:

Preliminary Investigation Determinations								
#	Case #	Rec.	#	Case #	Rec.	#	Case #	Rec.
1.	10-10-393	Inv	31.	11-1-713	Inv	61.	11-2-743	Inv
2.	11-1-637	NPC	32.	11-1-714	Inv	62.	11-2-773	NPC
3.	11-1-638	NPC	33.	11-1-715	Inv	63.	11-2-774	NPC
4.	11-1-639	NPC	34.	11-1-716	Inv	64.	11-2-775	Inv
5.	11-1-640	NPC	35.	11-1-717	Inv	65.	11-2-776	Inv
6.	11-1-688	NPC	36.	11-1-718	Inv	66.	11-2-777	NPC
7.	11-1-689	NPC	37.	11-1-719	Inv	67.	11-2-778	Inv
8.	11-1-690	Inv	38.	11-1-720	Inv	68.	11-2-779	NPC
9.	11-1-691	NPC	39.	11-1-721	Inv	69.	11-2-780	NPC
10.	11-1-692	NPC	40.	11-1-722	Inv	70.	11-2-781	NPC
11.	11-1-693	Inv	41.	11-1-723	Inv	71.	11-2-782	Inv
12.	11-1-694	Inv	42.	11-2-724	Inv	72.	11-2-783	NPC
13.	11-1-695	Inv	43.	11-2-725	Inv	73.	11-2-784	Inv
14.	11-1-696	Inv	44.	11-2-726	Inv	74.	11-2-785	NPC
15.	11-1-697	Inv	45.	11-2-727	Inv	75.	11-2-786	NPC
16.	11-1-698	Inv	46.	11-2-728	Inv	76.	11-2-787	NPC
17.	11-1-699	Inv	47.	11-2-729	Inv	77.	11-2-788	NPC
18.	11-1-700	Inv	48.	11-2-730	NPC	78.	11-2-789	NPC
19.	11-1-701	Inv	49.	11-2-731	NPC	79.	11-2-790	NPC
20.	11-1-702	Inv	50.	11-2-732	NPC	80.	11-2-792	Rmn d
21.	11-1-703	Inv	51.	11-2-733	NPC	81.	11-2-793	Inv
22.	11-1-704	Inv	52.	11-2-734	Inv	82.	11-2-794	Inv
23.	11-1-705	Inv	53.	11-2-735	Inv	83.	11-2-795	NPC
24.	11-1-706	Inv	54.	11-2-736	Inv	84.	11-2-796	NPC
25.	11-1-707	Inv	55.	11-2-737	Inv	85.	11-2-797	NPC
26.	11-1-708	Inv	56.	11-2-738	NPC	86.	11-2-798	NPC
27.	11-1-709	Inv	57.	11-2-739	NPC	87.	11-2-799	Rmn d
28.	11-1-710	Inv	58.	11-2-740	NPC			
29.	11-1-711	Inv	59.	11-2-741	Rmd			
30.	11-1-712	Inv	60.	11-2-742	NPC			

8. EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS

The Educator Ethics Review Committee recommended approval of the 56 Extensions - Preliminary Investigative Determinations consisting of the following:

11-1-688	11-1-695	11-1-702	11-1-709	11-1-716	11-1-723	11-2-730	11-2-737
11-1-689	11-1-696	11-1-703	11-1-710	11-1-717	11-2-724	11-2-731	11-2-738
11-1-690	11-1-697	11-1-704	11-1-711	11-1-718	11-2-725	11-2-732	11-2-739
11-1-691	11-1-698	11-1-705	11-1-712	11-1-719	11-2-726	11-2-733	11-2-740

11-1-692	11-1-699	11-1-706	11-1-713	11-1-720	11-2-727	11-2-734	11-2-741
11-1-693	11-1-700	11-1-707	11-1-714	11-1-721	11-2-728	11-2-735	11-2-742
11-1-694	11-1-701	11-1-708	11-1-715	11-1-722	11-2-729	11-2-736	11-2-743

9. **EXTENSIONS - INVESTIGATIONS**

The Educator Ethics Review Committee recommended granting and *Investigative Extension* to the following 52 Written Complaint Cases and 3 Application Case Extensions:

<u>WRITTEN COMPLAINT EXTENSIONS</u>							
10-5-1209	10-8-149	10-8-175	10-8-194	10-9-315	10-10-389	10-10-434	10-11-513
10-6-1397	10-8-150	10-8-176	10-8-195	10-9-321	10-10-391	10-10-435	10-11-514
10-6-1398	10-8-168	10-8-177	10-8-196	10-9-322	10-10-393	10-11-452	10-11-515
10-7-34	10-8-171	10-8-178	10-8-197	10-9-331	10-10-399	10-11-478	
10-8-117	10-8-172	10-8-180	10-8-198	10-10-371	10-10-400	10-11-502	
10-8-147	10-8-173	10-8-192	10-8-199	10-10-386	10-10-430	10-11-511	
10-8-148	10-8-174	10-8-193	10-8-200	10-10-388	10-10-432	10-11-512	
<u>APPLICATION CASE EXTENSIONS</u>							
10-9-254	10-12-585	10-12-623					

10. **VOLUNTARY SURRENDERS/VOLUNTARY DENIALS**

The Educator Ethics Review Committee recommended approval of 3 *Voluntary Surrender/Voluntary Denials* consisting of the following:

<u>CASE</u>	<u>STANDARDS VIOLATED</u>	<u>EERC RECOMMENDATION</u>
10-12-595	2, 9, 10	Accept
11-1-679	1, 10	Accept
11-1-684	2, 10	Accept

11. **APPLICATIONS FOR CERTIFICATION REPORT**

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 24 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 February

10, 2011 through March 10, 2011. There were 2 certificates that had been *reinstated* because restitution is now being made on those student loans. 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 no cases closed without an appeal for a hearing before an Administrative Law Judge. The report also advised that there were 3 cases 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 the following cases: 10-9-310, 10-10-398, 11-1-660 and 10-10-402.

PSC ACTION: Approved

Abstentions: Bettina Polite Tate – Case # 10-3-998, Dr. Adrian Epps – Cases # 10-6-1261, Jeannie Tucker – Case #'s 10-2-842 and 10-6-1301, Julia Bernath – Case #'s 09-7-94 and 09-7-95

Probable Cause Case # 10-9-310

Chair Wilkes called to accept the recommendation from the Educator Ethics Review Committee of a Reprimand.

PSC ACTION: Approved

Probable Cause Case # 10-10-398

Chair Wilkes called to accept the recommendation from the Educator Ethics Review Committee of a 1 Year Suspension.

PSC ACTION: Approved

Probable Cause Case # 11-1-660

Chair Wilkes called to accept the recommendation from the Educator Ethics Review Committee of a 20 Day Suspension.

PSC ACTION: Approved

Probable Cause Case # 10-10-402

Chair Wilkes called to accept the recommendation from the Educator Ethics Review Committee of a 5 Day Suspension.

PSC ACTION: Approved

B. Educator Preparation Standing Committee

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

CONTINUING APPROVAL	
Berry College	The Committee recommends Continuing Approval for the Educational Leadership Program (Performance-based PL6; Initial P-12).

<p>Griffin RESA</p>	<p>The Committee recommends Continuing Approval for the Georgia Teacher Academy for Preparation and Pedagogy program (GaTAPP).</p>
<p>Macon State College</p>	<p>The Committee recommends Continuing Approval for the professional education unit and English Education, History Education, Mathematics Education, Middle Grades Education, Science Education and Special Education General Curriculum/ECE programs.</p>
<p>REQUEST FOR REVISION OF CERTIFICATION RULE 505-2-.041</p>	
<p>Argosy University</p>	<p>Based upon the reasons described below, the Educator Preparation Standing Committee recommends denial of the Argosy University requests made at the February 10, 2011, meeting and subsequent requests made in an E-mail message to the Chair of the Educator Preparation Standing Committee on March 4, 2011, to modify GaPSC Certification Rule 505-2-.041.</p> <ul style="list-style-type: none"> • Out-of-state institutional criteria were carefully selected to ensure that Georgia educators participate in programs that meet the same levels of quality as those offered by GaPSC approved institutions. • The grandfathering timelines were modeled after legislation (HB455 and HB923). Extending the grandfathering period for one out-of-state institution implies that grandfathering will be extended for all out-of-state institutions, and calls into question the intent of the rule. • Allowing Georgia educators to enroll in programs before an institution is fully accredited by NCATE puts them at risk of spending a great deal of time and money pursuing programs that may not result in certificate level upgrades. • Rule 505-2-.041 sets high standards for institutions and preparation programs. The committee believes there is no substantiated need to modify the rule, as the rule was developed and vetted for over a year and a half.
<p>ADOPTION OF STANDARDS</p>	
<p>Instructional Technology Standards</p>	<p>The Committee recommends approval of the newly developed Instructional Technology program standards so that GACE content assessment and program development may begin. Certification and preparation rules will be initiated this summer.</p>

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

4/19/2011

Page 9

ACTION: Approved

VI. RULES

Mark Pevey presented Certification and Educator preparation rules for certification.

MOTION: (Elkins / Johnson) 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 June 15, 2011, as follows: 505-2-.15; (2) rescinding the current rules in Chapter 505-3 Educator Preparation, effective June 15, 2011, as follows: 505-3-.05; (3) initiating the current rules in Chapter 505-3 Educator Preparation, effective June 15, 2011, as follows: 505-3-.05..

PSC ACTION: Approved

VII. LEGISLATIVE UPDATE

Mark Pevey presented the legislative update. A tracking document (accurate as of March 7th) was given to all commissioners giving the bill number, author, bill summary, description and the status of the bill. Mark informed the commissioners that the status of bills can change on a daily basis.

VIII. ADJOURNMENT

Chair Wilkes called for the meeting to be adjourned at 1:19 .pm.

PSC ACTION: Approved