

# MINUTES

## PROFESSIONAL STANDARDS COMMISSION

2 Peachtree Street  
5<sup>th</sup> Floor, PSC Boardroom  
Atlanta, Georgia  
November 13, 2008

The Georgia Professional Standards Commission (PSC) met on Thursday, November 13, 2008, at 9 a.m.

### Members Present

Julia Bernath  
Maria Bradley  
Sallie Bullock  
Stephen Dartt

Emily Jennette  
Maria Miller  
Dr. Louisa Moffitt  
Dr. Mary Outlaw  
Rose Powell

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

### Members Absent

Penny Benton  
Pamela Greenway

Al George

### 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 / Powell) To approve agenda.

**PSC ACTION:** Approved

### III. APPROVAL OF MINUTES

Chair Wilkes called for approval of the minutes from the October 9, 2008, Commission meeting.

**PSC ACTION:** Approved

### IV. RECOGNITION OF VISITORS

Chair Wilkes recognized the visitors.

- Margaret Elliott, Professional Association of Georgia Educators
- Bill Ware, Georgia Association of Colleges for Teacher Education
- Borquaye Thomas, Attorney
- Shalini Patel, Attorney
- Curtis Wheeler
- Herb Garrett, Georgia School Superintendents Association

### V. THE GOVERNOR'S OFFICE OF CUSTOMER SERVICE ANNUAL EXCELLENCE AWARD

The PSC is honored that Maggie Cole, a long-time PSC employee, has been named by the Governor's Office of

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Customer Service as one of 15 Excellence Award Finalists among 637 state employees that were nominated for the Governor's Excellence in Customer Service Award. Sixteen nominees were named Excellence Award Recipients.

Nominations and supporting documentation from all Georgia state agencies and field offices were judged by a statewide selection panel selected by the Governor's Customer Service Office. Maggie and fellow Finalists will be honored by the Governor's Office during a mid-winter ceremony.

Today, we are pleased to recognize Maggie for her exemplary service to the PSC and to applaud her for the outstanding PSC client assistance and internal leadership that lead to her state excellence recognition.

Maggie Cole is the PSC's Employee of the Year and was nominated by the agency's Customer Service Team for the Governor's Customer Service Excellence Award. She is the consummate employee and example of exemplary customer service for Georgia. Maggie is humble about her work saying, "My job gives me the opportunity to make a contribution to quality education in Georgia".

Maggie began her state career in 1966. She knows "a lot about a lot" and is a primary "Go To" person for every type of educator certification question and call from in- and outside our agency and state.

Twenty-three years of successful service to Georgia customers and a briefer private sector stint have equipped Maggie to courteously and responsively accomplish her responsibilities.

She has held administrative support and middle management positions in the PSC since 1997 and previously, in the Office of the Secretary of State and Department of Education and in the Georgia Board of Examiners. In the PSC, our customers and staff ask Maggie for information and assistance and they leave her feeling "heard" and educated. Her most recent evaluation noted, "To-date, Maggie has never received a complaint from callers or visitors..."

Maggie, you are a most deserving Finalist Honoree for the 2008 Governor's Customer Service Excellence Award. We are proud of you. Cyndy Stephens, the PSC's Customer Service Champion, the entire Commission and staff and I want to recognize you with this Commendation of Excellence and congratulate you with a small gift.

Thank you for all you have given to all of us and the work of the Professional Standards Commission! Chair Wilkes, Kelly Henson and Cyndy Stephens presented Maggie Cole with a gift and the award.

## **VI. COMMITTEE REPORTS**

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

Commissioner Maria Miller, gave a preliminary review of the Cases.

1. Ms. Miller reported that the Committee reviewed 61 ***Probable Cause*** cases during its November 12, 2008, meeting and brought the following recommendations on behalf of the Committee:

#	CASE #	Applicant	STANDARDS VIOLATED	RECOMMENDATION
1	08-4-1133	APPLICANT	Criminal Acts	Reprimand
2	08-4-1175	Property Rights	Criminal Acts Misrepresentation or Falsification	Reprimand
3	08-5-1262	APPLICANT	Criminal Acts Misrepresentation or Falsification Action Taken In Another State Other Good and Sufficient Cause	Denial
4	08-5-1279	Property Rights	Professional Conduct	Reprimand
5	08-5-1280	Property Rights	Criminal Acts Misrepresentation or Falsification	Reprimand
6	08-5-1287	Property Rights	Criminal Acts Misrepresentation or Falsification	Reprimand
7	08-5-1333	Property Rights	Criminal Acts Misrepresentation or Falsification	Reprimand
8	08-5-1335	Property Rights	Criminal Acts Misrepresentation or Falsification	Reprimand
9	08-5-1339	APPLICANT	Criminal Acts	Reprimand
10	08-5-1343	Property Rights	Criminal Acts	Reprimand
11	08-5-1348	Property Rights	Criminal Acts	Revocation
12	08-6-1422	APPLICANT	Criminal Acts	Reprimand
13	08-6-1426	Property Rights	Criminal Acts Misrepresentation or Falsification	Reprimand
14	08-6-1429	Property Rights	Criminal Acts Misrepresentation or Falsification	Reprimand
15	08-6-1437	APPLICANT	Criminal Acts Misrepresentation or Falsification OCGA 20-3-295	Denial
16	08-6-1442	APPLICANT	Criminal Acts	Reprimand
17	08-6-1443	APPLICANT	Abuse of Students Professional Conduct Action Taken in Another State	Denial
18	08-6-1458	APPLICANT	Criminal Acts	Denial
19	08-6-1468	APPLICANT	Criminal Acts	Reprimand
20	08-6-1487	APPLICANT	Criminal Acts Misrepresentation or Falsification	Reprimand
21	08-6-1489	Property Rights	Action Taken in Another State Misrepresentation or Falsification Failure to Make a Required Report	Reprimand
22	08-6-1501	Property Rights	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct Action Taken in Another State	Revocation
23	08-6-1512	Property Rights	Action – Other State (Abuse; Prof. Conduct) Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct Other Good and Sufficient Cause	Revocation
24	08-1-664	Property Rights	Abandonment of Contract Professional Conduct	Suspend – 90 Contract Days

#	CASE #	Applicant	STANDARDS VIOLATED	RECOMMENDATION
25	08-1-709	Property Rights	Abuse of Students Professional Conduct	Suspend – 10 Contract Days
26	08-3-854	Property Rights	Misrepresentation or Falsification Public Funds and Property Professional Conduct	Suspend – 20 Contract Days
27	08-3-864	Property Rights	Abuse of Students Professional Conduct	Suspend – 10 Contract Days
28	08-3-1019	Property Rights	Abuse of Students Professional Conduct	Suspend – 90 Contract Days
29	08-4-1093	Property Rights	Abuse of Students Professional Conduct	Suspend – 3 Contract Days
30	08-4-1100	Property Rights	Abuse of Students Professional Conduct	Suspend – 2 Years
31	08-4-1141	Property Rights	Confidential Information Professional Conduct	Suspend – 90 Contract Days
32	08-5-1312	Property Rights	Misrepresentation or Falsification Professional Conduct	Suspend – 90 Contract Days
33	08-5-1315	Property Rights	Abuse of Students Failure to Make a Required Report Professional Conduct	Suspend – 1 Year
34	08-5-1320	Property Rights	Confidential Information Professional Conduct	No Probable Cause
35	08-5-1331	Property Rights	Misrepresentation or Falsification Professional Conduct	Suspend – 10 Contract Days
36	08-5-1351	Property Rights	Misrepresentation or Falsification Professional Conduct	Suspend – 90 Contract Days
37	08-6-1393	Property Rights	Abuse of Students Professional Conduct	Suspend – 1 Year
38	08-6-1394	Property Rights	Abuse of Students Professional Conduct	Suspend – 1 Year
39	08-6-1406	Property Rights	Confidential Information Professional Conduct	Suspend – 20 Contract Days
40	08-6-1410	Property Rights	Abuse of Students Professional Conduct	Suspend – 1 Year
41	08-6-1411	Property Rights	Abandonment of Contract Professional Conduct	Suspend – 90 Contract Days
42	08-6-1416	Property Rights	Confidential Information Professional Conduct	Suspend – 20 Contract Days
43	08-6-1488	Property Rights	Confidential Information Professional Conduct	Suspend – 20 Contract Days
44	08-6-1499	Property Rights	Abuse of Students Professional Conduct	Revocation
45	08-6-1524	Property Rights	Misrepresentation or Falsification Professional Conduct	Suspend – 1 Year
46	08-6-1527	Property Rights	Abuse of Students Professional Conduct	Suspend – 1 Year
47	08-6-1557	Property Rights	Public Funds and Property Professional Conduct *ABUSE OF STUDENTS	Suspend – 2 Years
48	08-6-1559	Property Rights	Confidential Information	Suspend – 90 Contract Days
49	08-7-64	Property Rights	Abuse of Students Professional Conduct	Suspend – 20 Contract Days

#	CASE #	Applicant	STANDARDS VIOLATED	RECOMMENDATION
50	08-7-73	Property Rights	Improper Remunerative Conduct Professional Conduct	Suspend – 3 Contract Days
51	08-7-94	Property Rights	Professional Conduct Other Good and Sufficient Cause	Suspend – 5 Contract Days
52	08-8-135	Property Rights	Abuse of Students Professional Conduct	Suspend – 1 Year
53	08-8-136	Property Rights	Public Funds and Property Professional Conduct	Suspend – 90 Contract Days
54	08-8-138	Property Rights	Abuse of Students Professional Conduct	Suspend – 5 Contract Days
55	08-8-214	Property Rights	Confidential Information Professional Conduct	Reprimand
56	08-8-222	Property Rights	Abandonment of Contract Professional Conduct	Suspend – 90 Contract Days
57	08-8-232	Property Rights	Professional Conduct	Suspend – 1 Year
58	08-8-234	Property Rights	Public Funds and Property Professional Conduct Other Good and Sufficient Cause	Revocation
59	08-8-238	Property Rights	Alcohol or Drugs Professional Conduct	Suspend – 1 Year
60	08-8-241	Property Rights	Professional Conduct	No Probable Cause
61	08-8-242	Property Rights	Professional Conduct	No Probable Cause

2. Ms. Miller reported that the Educator Ethics Review Committee reviewed 5 *Initial Decisions* and brought the following recommendations on behalf of the Committee:

CASE #	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	ADMINISTRATIVE LAW JUDGE SANCTION	RECOMMENDATION
05-5-1619	Criminal Acts Failure to Make a Required Report Professional Conduct	Suspend - 2 Years	Suspend - 2 Months	Review
05-7-55	Abuse of Students Professional Conduct	Revocation	Revocation	Accept
06-8-65	Criminal Acts Misrepresentation or Falsification Professional Conduct	Reprimand	Reprimand	Accept
06-10-354	Alcohol or Drugs Professional Conduct	Suspend – 90 Contract Days	Reprimand	Review
07-5-1347	Abuse of Students Professional Conduct	Suspend – 1 Year	Suspend – 6 Months	Review

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

CASE NUMBER	REQUEST	PREVIOUS SANCTION	PREVIOUS VIOLATION	RECOMMENDATION
08-6-1492	Right to Reapply	Denial – 9/17/04	Misrepresentation or Falsification Public Funds and Property Failure to Make a Required Report Professional Conduct	Grant
08-6-1509	Right to Reapply	Revoked – 10/7/99	Abuse of Students	Deny
08-7-38	Right to Reapply	Revoked – 2/12/04	Public Funds and Property Professional Conduct	Grant

4. Ms. Miller reported that the Educator Ethics Review Committee reviewed 13 *Settlement Agreements* and brought the following recommendations on behalf of the Committee:

#	CASE NUMBER	SANCTION	RECOMMENDATION
1	08-3-969	Reprimand	Accept
2	08-3-998	Reprimand	Accept
3	08-4-1076	Suspension – 5 Contract Days (Retro – March 11, 2008 – March 17, 2008)	Accept
4	08-4-1078	Warning	Accept
5	08-4-1121	Reprimand	Accept
6	08-5-1266	Reprimand	Accept
7	08-5-1321	Reprimand	Accept
8	08-5-1350	Reprimand	Accept
9	08-6-1415	Reprimand	Accept
10	08-6-1493	Reprimand	Accept
11	08-6-1502	Suspension – 90 Contract Days (Dec. 1, 2008 – April 27, 2009)	Accept
12	08-6-1558	Suspension – 20 Contract Days (Dec. 1, 2008 – Jan. 9, 2009)	Accept
13	08-7-34	Suspension – 20 Contract Days (Dec. 1, 2008 – Jan. 9, 2009)	Accept

5. Ms. Miller reported that the Educator Ethics Review Committee reviewed 21 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee:

CASE #	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION	RECOMMENDATION
99-6-551	Misrepresentation or Falsification	Revocation	No Probable Cause	Accept
05-4-1555	Professional Conduct	Suspension – 60 Contract Days	Reprimand	Accept
05-6-1878	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	Suspension – 3 Years	Suspension - 36 Months (28 Months Retro- 4/27/05 - 8/12/07) (8 More Months - 12/6/08 - 08/16/09)	Accept
06-3-1129	Abuse of Students Alcohol or Drugs Misrepresentation or Falsification Professional Conduct	Suspension – 1 Year	No Probable Cause	Accept
07-1-859	Abuse of Students Professional Conduct	Suspension – 1 Year	Suspension – 20 Contract Days Nov. 19, 2008 – Dec. 19, 2008	REJECT
07-5-1326	Public Funds and Property Professional Conduct	Revocation	Revocation	Accept
07-6-1508	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	Reprimand	Reprimand	Accept
07-6-1525	Misrepresentation or Falsification Professional Conduct	Suspension – 90 Contract Days	No Probable Cause	Accept
07-7-60	Misrepresentation or Falsification	Denial	Denial	Accept
07-8-103	Abuse of Students Professional Conduct	Revocation	Suspension – 3 Years (12/01/08 – 12/01/11)	REJECT
07-8-173	Abuse of Students Professional Conduct	Revocation	Suspension – 1 Year (Retro – 8/24/07 – 8/24/08)	Accept
07-9-259	Abuse of Students Professional Conduct	Suspension – 1 Year	Suspension - 1 Year (Part Retro - 6/1/08 - 5/31/09) (No Affidavit – Retro)	REJECT
07-11-449	Criminal Acts Failure to Make a Required Report	Suspension – 90 Contract Days	Suspension – 90 Contract Days (Retro – 10/7/07 – 02/26/08)	Accept
07-12-552	Criminal Acts	Denial	Reprimand	REJECT
07-12-575	Abuse of Students Professional Conduct	Reprimand	Warning	Accept
07-12-610	Abuse of Students Professional Conduct	Revocation	Suspension – 3 Years (Part Retro – 11/30/07 – 11/30/10)	Accept
08-1-679	Criminal Acts	Suspension – 20 Contract Days	No Probable Cause	Accept
08-1-717	Abuse of Students Professional Conduct	Suspension – 20 Contract Days	Warning	Accept
08-3-910	Criminal Acts	Reprimand	No Probable Cause	Accept
08-4-1205	Misrepresentation or Falsification Professional Conduct	Suspension – 1 Year	Suspension - 1 Year (Part Retro – 5/30/08 - 5/30/09)	REJECT

CASE #	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION	RECOMMENDATION
			(No Affidavit – Retro)	
08-5-1300	Confidential Information Professional Conduct	Warning	Warning	Accept

6. Ms. Miller reported that the Educator Ethics Review Committee reviewed 4 *Voluntary Surrender/Voluntary Denial* and brought the following recommendation on behalf of the Committee:

CASE NUMBER	SANCTION	STANDARDS VIOLATED
08-9-283	Revocation	Criminal Acts Abuse of Students Professional Conduct
08-9-360	Revocation	Abuse of Students Professional Conduct
08-9-364	Revocation	Abuse of Students Professional Conduct
08-9-365	Revocation	Criminal Acts Abuse of Students Professional Conduct

7. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 72 new complaints received during the months of October and November 2008.

**8. EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS**

The Educator Ethics Review Committee recommended approval of the following 50 Extensions - Preliminary Investigative Determinations:

#	CASE #	Complaint Received	#	CASE #	Complaint Received
1.	08-10-385	9/23/2008	26.	08-10-410	10/3/2008
2.	08-10-386	9/24/2008	27.	08-10-411	10/6/2008
3.	08-10-387	9/25/2008	28.	08-10-412	10/6/2008
4.	08-10-388	9/29/2008	29.	08-10-413	10/6/2008
5.	08-10-389	9/29/2008	30.	08-10-414	10/7/2008
6.	08-10-390	9/29/2008	31.	08-10-415	10/7/2008
7.	08-10-391	9/29/2008	32.	08-10-416	10/7/2008
8.	08-10-392	9/30/2008	33.	08-10-447	10/8/2008
9.	08-10-393	9/30/2008	34.	08-10-448	10/8/2008
10.	08-10-394	9/30/2008	35.	08-10-449	10/8/2008
11.	08-10-395	9/30/2008	36.	08-10-450	10/8/2008
12.	08-10-396	9/30/2008	37.	08-10-451	10/9/2008
13.	08-10-397	9/30/2008	38.	08-10-452	10/9/2008
14.	08-10-398	9/30/2008	39.	08-10-453	10/9/2008
15.	08-10-399	10/1/2008	40.	08-10-454	10/9/2008

#	CASE #	Complaint Received	#	CASE #	Complaint Received
16.	08-10-400	10/1/2008	41.	08-10-455	10/9/2008
17.	08-10-401	10/1/2008	42.	08-10-456	10/9/2008
18.	08-10-402	10/1/2008	43.	08-10-457	10/9/2008
19.	08-10-403	10/1/2008	44.	08-10-458	10/9/2008
20.	08-10-404	10/1/2008	45.	08-10-459	10/10/2008
21.	08-10-405	10/2/2008	46.	08-10-460	10/13/2008
22.	08-10-406	10/2/2008	47.	08-10-461	10/13/2008
23.	08-10-407	10/3/2008	48.	08-10-462	10/13/2008
24.	08-10-408	10/3/2008	49.	08-10-463	10/13/2008
25.	08-10-409	10/3/2008	50.	08-10-464	10/13/2008

**PSC ACTION:** Approved

**9. EXTENSIONS - INVESTIGATIONS**

The Educator Ethics Review Committee recommended granting and *Investigative Extension* to the following 57 Written Complaint cases and 55 Application cases:

**APPLICATION CASE EXTENSIONS:**

08-5-1347	08-6-1542	08-7-100	08-8-142	08-8-189	08-8-202	08-9-321	08-9-336
08-6-1434	08-6-1543	08-7-104	08-8-163	08-8-192	08-8-203	08-9-323	08-9-339
08-6-1471	08-7-44	08-7-105	08-8-171	08-8-193	08-8-205	08-9-328	08-9-344
08-6-1484	08-7-56	08-7-107	08-8-177	08-8-194	08-8-206	08-9-330	08-9-345
08-6-1531	08-7-80	08-7-110	08-8-178	08-8-196	08-9-277	08-9-332	08-9-346
08-6-1536	08-7-81	08-8-128	08-8-180	08-8-199	08-9-314	08-9-333	08-9-347
08-6-1539	08-7-98	08-8-133	08-8-188	08-8-201	08-9-317	08-9-334	

**WRITTEN COMPLAINT EXTENSIONS:**

07-12-607	08-8-137	08-5-1316	08-7-65	08-6-1525	08-8-159	08-6-1399	08-7-78
08-3-847	07-11-383	08-5-1329	08-7-68	08-6-1552	08-8-217	08-7-32	
08-4-1091	07-12-586	08-5-1369	08-8-134	08-7-29	08-4-1213	08-7-55	
08-6-1389	08-3-843	08-6-1392	08-8-212	08-7-31	08-5-1292	08-7-97	
08-6-1421	08-3-1050	08-6-1500	08-8-224	08-7-66	08-5-1322	08-8-131	
08-6-1548	08-4-1094	08-6-1514	08-6-1496	08-7-114	08-5-1323	08-8-215	
08-6-1549	08-5-1231	08-6-1523	08-6-1510	08-8-140	08-5-1360	08-8-239	
08-7-24	08-5-1251	08-6-1550	08-6-1521	08-8-157	08-5-1361	08-8-240	

### **APPLICATIONS FOR CERTIFICATION REPORT**

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 42 cases reflected on the *Applications for Certification Report*.

#### **11. REVIEW HEARING EXTENSIONS**

The Commission reviewed the *Review Hearing Extensions Report* concerning 7 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 10 certificates suspended from October 9, 2008 through November 13, 2008. There were 11 certificates that had been *reinstated* because restitution is now being made on those student loans. The Committee was also advised that there were 7 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 15 cases now closed without an appeal for a hearing before an Administrative Law Judge. The report also advised that there were 5 cases closed without an appeal for a review hearing before the Commission.

### **VII. REVIEW HEARINGS**

1. Tashina Parker - Educator (Case #05-3-1458)  
Wayne Magnum - Hearing Officer  
Penny Hannah - PSC Attorney  
Borquaye Thomas - Attorney

**MOTION:** (Bradley / West) To go into Executive Session and allow PSC staff (Gary Walker, Tanis Miller and Lisa Hartzler) to remain.

**ACTION:** Approved

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

**ACTION:** Approved

**MOTION:** (Vasconcelos / West) To adopt the Findings of Fact reached by the Administrative Law Judge. To adopt the Conclusions of Law reached by the Administrative Law Judge as indicated in the Initial Decision with the following changes: By deleting paragraphs 4 and 5. The Decision of the Administrative Law Judge that no sanction was appropriate in this case and as indicated in the Initial Decision was rejected. The Commission concluded that a sanction was appropriate in this particular case because of the seriousness with which the Commission viewed the educator's felony conviction. The Commission hereby ordered that the Georgia educator certificate held by TASHINA PARKER be suspended for a period of 5 contract days. The suspension shall begin December 1, 2008 and shall conclude December 5, 2008.

**PSC ACTION:** Approved

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2. Demetrius Evans - Educator (Case #06-8-172)
  - Wayne Magnum - Hearing Officer
  - Penny Hannah - PSC Attorney
  - Borquaye Thomas - Attorney

**MOTION:** (Miller / Smith) To go into Executive Session and allow PSC staff (Gary Walker, Tanis Miller and Lisa Hartzler) to remain.

**ACTION:** Approved

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

**ACTION:** Approved

**MOTION:** (Miller / 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 with the following specification. The Commission ordered that the Georgia educator certificate held by DEMETRIUS EVANS be revoked effective November 13, 2008.

**PSC ACTION:** Approved

3. Curtis Wheeler - Educator (Case #07-1-720)
  - Wayne Magnum - Hearing Officer
  - Rebecca Mick - PSC Attorney
  - Shalini Patel - Attorney

**MOTION:** (Smith /Jennette) To go into Executive Session and allow PSC staff (Gary Walker, Tanis Miller, Penny Hannah and Lisa Hartzler) to remain.

**ACTION:** Approved

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

**ACTION:** Approved

**MOTION:** (Powell / West) To adopt the Findings of Fact and Conclusions of Law reached by the Administrative Law Judge. The Commission rejected the recommended sanction of a Reprimand. The Commission believed that the Educator's breaches of the Code of Ethics, as demonstrated in the record and as outlined in the Administrative Law Judge's Initial Decision, were of such magnitude so as to warrant a greater sanction. Despite warnings previously received and acknowledged regarding relationships with female students, the Educator nonetheless engaged in an inappropriate relationship with Frances H. which is demonstrated by calls made over a six week period with no substantive professional basis, the volume and timing of the calls, the over-familiarity with the female student and the Educator's attempts to avoid the student's mother. This behavior constitutes an inappropriate relationship that warrants a sanction greater than a reprimand. Therefore, the Commission hereby ordered that the Georgia educator certificate held by Curtis Wheeler be Suspended for a period of one year. The period of suspension shall begin on December 1, 2008 and shall conclude on December 1, 2009.

**PSC ACTION:** Approved

#### **VIII. EXECUTIVE SECRETARY REPORT**

Kelly presented the following to the commission:

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1. The PSC received the results of the customer service report and we have showed significant improvement.
2. We will have a holiday luncheon at our December 11<sup>th</sup> so everyone should plan to stay after the meeting has concluded.
3. We almost have a first draft of the Code of Ethics. He thanked the ad hoc committee for all of their hard work. We hope to have the Code of Ethics to the commissioners in January 2009.
4. The last meeting on HR1103 will be on November 19<sup>th</sup>.
5. We are anticipating a budget cut of 10%. Hopefully, we will get a clearer picture when the legislature is back in session.
6. We expect to have several rules changes in December.

#### **IX. CHAIR'S REPORT**

Chair Wilkes announced the following:

1. Our next meeting will be held on Thursday, December 11, 2008 at 9 am at Two Peachtree Street, Atlanta.
2. Hester Vasconcelos announced that Walton high School applied for and has been named an International Spanish Academy by the Ministry of Education in Spain. There will be an official ceremony in Valencia, Spain in December.

#### **X. ADJOURNMENT**

Chair Wilkes called for the meeting to be adjourned at 12:00 noon.

**PSC ACTION:** Approved