

MINUTES

PROFESSIONAL STANDARDS COMMISSION

Brasstown Valley Resort

Young Harris, Georgia

April 12, 2007

The Georgia Professional Standards Commission (PSC) met on Thursday, April 12, 2007, at 9 a.m.

Members Present

Maria Bradley	Maria Miller	Dr. Holly Robinson
Sallie Bullock	Dr. Louisa Moffitt	Jeannie Tucker
Stephen Dartt	Lee Muns	Dr. Wanda West
Jean Ebron	Dr. Mary Outlaw	Dr. Debbie Wilkes
Mary Gomez	Rose Powell	

Members Absent

Gary Bechtel	Pamela Greenway
Dr. Craig Smith	Hester Vasconcelos

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. RECOGNITION OF VISITORS

Chair Wilkes recognized the visitors.

- Gayle Wooten, Professional Association of Georgia Educators

III. ADOPTION OF AGENDA

Chair Wilkes called for approval of the agenda.

MOTION: (Muns / Outlaw) To approve the agenda.

PSC ACTION: Approved

IV. APPROVAL OF MINUTES

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

PSC ACTION: Approved

V. 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 18 *Probable Cause Application* cases during its April 11, 2007, meeting and brought the following recommendations on behalf of the Committee:

#	CASE NUMBER	STANDARDS VIOLATED	RECOMMENDATION
1	06-9-258	Misrepresentation or Falsification	Denial
2	06-12-632	No Violations	No Probable Cause
3	06-12-667	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct Action Taken In Another State	Suspension for 1 Year
4	07-1-729	Criminal Acts Professional Conduct	Reprimand
5	07-1-731	Professional Conduct	No Probable Cause
6	07-1-733	Criminal Acts Professional Conduct	Reprimand
7	07-1-736	Criminal Acts Professional Conduct Action Taken in Another State	Denial
8	07-1-756	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct Criminal Acts	Reprimand
9	07-1-763	Criminal Acts	Reprimand
10	07-1-764	Criminal Acts Professional Conduct	Denial
11	07-1-765	Criminal Acts Misrepresentation or Falsification	Denial
12	07-1-772	Criminal Acts Professional Conduct	Reprimand
13	07-1-778	Criminal Acts Professional Conduct	No Probable Cause
14	07-1-782	Criminal Acts Misrepresentation or Falsification Action Taken in Another State Failure to Make a Required Report	Suspension for 90 Contract Days
15	07-1-786	Criminal Acts Professional Conduct	Denial
16	07-1-794	Misrepresentation or Falsification Criminal Acts Professional Conduct	Reprimand
17	07-1-798	Criminal Acts Professional Conduct	Denial
18	07-1-864	No Violations	No Probable Cause

PSC ACTION: Approved

- Ms. Miller reported that the Committee reviewed 42 *Probable Cause Written Complaint* cases during its April 11, 2007, meeting and brought the following recommendations on behalf of the Committee:

#	CASE NUMBER	STANDARDS VIOLATED	RECOMMENDATION
1	06-4-1178	Professional Conduct	No Probable Cause
2	06-6-1386	Alcohol or Drugs Professional Conduct	No Probable Cause
3	06-6-1390	Abuse of Students Professional Conduct	Suspension for One Year
4	06-8-170	Criminal Acts Professional Conduct	Suspension for 30 Contract Days
5	06-8-171	Professional Conduct	Reprimand
6	06-8-200	Board of Education Rule 106-3-1-.07-(g) Confidential Information Professional Conduct	Reprimand
7	06-10-318	Professional Conduct	No Probable Cause
8	06-10-324	Abandonment of Contract Professional Conduct	Suspension for 90 Contract Days
9	06-10-325	Abandonment of Contract	Suspension for 90 Contract Days
10	06-10-326	Confidential Information Professional Conduct	Suspension for One Year
11	06-10-328	Abandonment of Contract Professional Conduct	Suspension for 90 Contract Days
12	06-10-348	Professional Conduct Public Funds and Property	Suspension for 5 Contract Days
13	06-10-367	Misrepresentation or Falsification Professional Conduct	Suspension for 20 Contract Days
14	06-10-411	Alcohol or Drugs Professional Conduct	Suspension for One Year
15	06-11-432	Professional Conduct	No Probable Cause
16	06-11-439	Public Funds and Property Professional Conduct	Reprimand
17	06-11-491	Alcohol or Drugs Misrepresentation or Falsification Professional Conduct	Revocation
18	06-11-501	Professional Conduct	No Probable Cause
19	06-11-504	Public Funds and Property Professional Conduct	No Probable Cause
20	06-11-506	Failure to Make a Required Report Professional Conduct	Suspension for 20 Contract Days
21	06-11-526	Professional Conduct	Reprimand
22	06-11-537	Abuse of Students	Suspension for 20 Contract Days
23	06-11-544	Abuse of Students Professional Conduct	Reprimand
24	06-11-575	No Violations	No Probable Cause
25	06-11-580	Abuse of Students Public Funds and Property	Revocation

#	CASE NUMBER	STANDARDS VIOLATED	RECOMMENDATION
		Professional Conduct	
26	06-12-665	Abuse of Students Professional Conduct	Revocation
27	07-1-678 ADDENDUM	Professional Conduct	Reprimand
28	07-1-684	Public Funds and Property Professional Conduct	Revocation
29	07-1-711	Public Funds and Property Professional Conduct	Reprimand
30	07-1-717	Public Funds and Property Professional Conduct	Suspension for 20 Contract Days
31	07-1-720	Abuse of Students Professional Conduct Criminal Acts	Extend Probable Cause Determination Pending Outcome Of Criminal Case
32	07-1-753	Criminal Acts Professional Conduct	Revocation
33	07-1-834	Criminal Acts Professional Conduct	Suspension for 30 Contract Days
34	07-1-842	Professional Conduct	Revocation
35	07-1-843	Abuse of Students Professional Conduct	No Probable Cause
36	07-1-859	Abuse of Students Professional Conduct	Suspension for One Year
37	07-1-861	Professional Conduct	Suspension for 20 Contract Days
38	07-1-865	Criminal Acts Professional Conduct	Suspension for One Year
39	07-1-866	Abandonment of Contract Professional Conduct	Extend Probable Cause Determination Two Meetings (Letter of Intent)
40	07-1-867	Abandonment of Contract Professional Conduct	Suspension for 90 Contract Days
41	07-1-868	Abandonment of Contract Professional Conduct	Suspension for 90 Contract Days
42	07-2-942	Professional Conduct	No Probable Cause

PSC ACTION: Approved

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

CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	ADMINISTRATIVE LAW JUDGE SANCTION	RECOMM.
04-7-36	Misrepresentation or Falsification Professional Conduct	Revocation	Revocation	Accept
05-2-1125	Criminal Acts Professional Conduct	Revocation	Revocation	Accept
05-6-1761	Criminal Acts Professional Conduct	Denial	Reprimand & *Require Quarterly Reports Regarding California Investigation until closed	Review
05-7-144	Misrepresentation or Falsification Professional Conduct	Denial	Denial	Accept
05-9-351	Criminal Acts Professional Conduct	Denial	Denial	Accept

PSC ACTION: Approved

4. Ms. Miller reported that the Educator Ethics Review Committee reviewed 1 *Petitions Issue* and brought the following recommendation on behalf of the Committee:

CASE NUMBER	REQUEST	PREVIOUS SANCTION	PREVIOUS VIOLATION	RECOMMENDATION
07-2-926	Right to Reapply	Revocation: 10/17/03	Misrepresentation or Falsification Professional Conduct	DENY

PSC ACTION: Approved

5. Ms. Miller reported that the Educator Ethics Review Committee reviewed 24 *Settlement Agreements* and brought the following recommendations on behalf of the Committee:

#	CASE NUMBER	EDUCATOR	SANCTION	RECOMMENDATION
1	06-7-29	Denine W. Cadet	Reprimand	Accept
2	06-8-96	Jonathan G. Vaughn	Denial	Accept
3	06-8-164	Vicky A. Mitchell	Suspension for 5 Contract Days May 24, 2007 - May 31, 2007	Accept
4	06-9-216	Daphne W. Williamson	Reprimand	Accept
5	06-9-240	Erika L. Moore	Reprimand	Accept
6	06-10-321	Valeni L. Witbeck	Reprimand	Accept
7	06-10-330	Susan E. Nabulsi	Suspension for 20 Contract Days April 27, 2007 - May 24, 2007	Accept
8	06-10-333	Peter Rion DiFazio	Revocation	Accept
9	06-10-337	Kalista L. Taylor	Suspension for 20 Contract Days April 23, 2007 - May 18, 2007	Accept
10	06-10-355	Donald Thompson	Reprimand	Accept
11	06-10-376	Jeanette M. Hatch	Suspension for 90 Contract Days April 27, 2007 - Nov. 16, 2007	Accept

#	CASE NUMBER	EDUCATOR	SANCTION	RECOMMENDATION
12	06-10-394	Jeryle Murphy	Reprimand	Accept
13	06-10-410	Laurinda H. Peacock	Suspension for 90 Contract Days April 27, 2007 - Nov. 2, 2007	Accept
14	06-11-521	Christopher B. Kypa	Reprimand	Accept
15	06-11-522	Michael F. Stevens	Suspension for 20 Contract Days April 24, 2007 - May 21, 2007	Accept
16	06-11-541	Julie D. Ellington	Suspension for 20 Contract Days May 9, 2007 - August 10, 2007	Accept
17	06-11-543	Antonio C. Pointer	Suspension for 20 Contract Days April 27, 2007 - May 24, 2007	Accept
18	06-11-564	Dermaris K. Battle	Reprimand	Accept
19	06-11-581	Norma J. Oliver	Suspension for 20 Contract Days April 27, 2007 - May 24, 2007	Accept
20	06-12-626	Ellen E. Dillinger	Suspension for 90 Contract Days April 27, 2007 - Oct. 31, 2007	Accept
21	06-12-649	Lee L. Carter	Reprimand	Accept
22	07-1-707	Richard Townsend	Suspension for 20 Contract Days	Accept
23	07-1-708	Donnie E. Hardy	Suspension for 5 Contract Days April 30, 2007 - May 4, 2007	Accept
24	06-11-439	James Morrell	Reprimand	Accept

PSC ACTION: Approved

6. Ms. Miller reported that the Educator Ethics Review Committee reviewed 18 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee:

CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION	RECOMMENDATION
04-2-1181	Professional Conduct	Suspension for One Year	Reprimand	Reject
04-11-695	Public Funds and Property Professional Conduct	Suspension for One Week	Suspension for 3 Contract Days	Accept
04-12-767	Abuse of Students Professional Conduct	Suspension for Six Months	Suspension for Four Months	Accept
05-1-968	Misrepresentation or Falsification Public Funds and Property Professional Conduct	Suspension for Six Months	Suspension for One Month	Accept
05-3-1377	Criminal Acts Professional Conduct	Revocation	Revocation	Accept
05-5-1681	Criminal Acts Public Funds and Property Professional Conduct	Revocation	Suspension for One Year	Reject

CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION	RECOMMENDATION
05-7-4	Misrepresentation or Falsification Public Funds and Property Professional Conduct	Suspension for 90 Contract Days	Suspension for 90 Contract Days	Accept
05-10-521	Failure to Make a Required Report Abuse of Students Professional Conduct Criminal Acts	Reprimand	Warning	Accept
05-11-570	Abuse of Students Professional Conduct Action Taken In Another State	Revocation	Revocation	Accept
05-11-652	Abuse of Students Misrepresentation or Falsification Professional Conduct	Suspension for 20 Contract Days	Suspension for 20 Contract Days	Accept
05-12-724	Abuse of Students Professional Conduct	Revocation	Revocation	Accept
06-4-1155	Criminal Acts Abuse of Students Professional Conduct	Revocation	Revocation	Accept
06-4-1158	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct Action Taken in Another State	Suspension for One Year	Reprimand	Accept
06-4-1205	Failure to Make a Required Report Professional Conduct	Suspension for 20 Contract Days	Reprimand	Accept
06-6-1376	Alcohol or Drugs Professional Conduct	Suspension for One Year	Suspension for Six Months	Accept
06-8-97	Criminal Acts	Denial	Reprimand	Accept
06-8-147	Failure to Make a Required Report Professional Conduct	Reprimand	Warning	Accept
06-11-441	Professional Conduct	Suspension for 5 Contract Days	Warning	Reject

PSC ACTION: Approved

Abstention: Dr. Mary Outlaw – cases 05-11-570 and 06-4-1155

7. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 84 new complaints received during the months of March and April 2007.

8. **EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS**

The Educator Ethics Review Committee recommended approval of the 23 Extensions - Preliminary Investigative Determinations consisting of the following:

EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS

07-3-997	07-3-1002	07-3-1024	07-3-1029	07-3-1034
07-3-998	07-3-1020	07-3-1025	07-3-1030	07-3-1035
07-3-999	07-3-1021	07-3-1026	07-3-1031	07-3-1036
07-3-1000	07-3-1022	07-3-1027	07-3-1032	
07-3-1001	07-3-1023	07-3-1028	07-3-1033	

PSC ACTION: Approved

9. **EXTENSIONS - INVESTIGATIONS**

The Educator Ethics Review Committee recommended granting and *Investigative Extension* to the following 42 Written Complaints and 44 Application cases:

WRITTEN COMPLAINT EXTENSIONS:

06-5-1243	06-12-661	06-8-193	07-1-837	07-1-847
06-11-447	07-1-677	06-10-323	07-1-838	06-8-203
06-11-448	07-1-679	06-10-379	07-1-849	
06-9-209	07-1-683	06-11-494	06-12-630	
06-9-312	07-1-727	06-11-496	06-12-647	
06-10-334	07-1-749	06-11-510	07-1-687	
06-10-405	07-1-836	06-11-542	07-1-718	
06-10-415	07-1-844	07-1-706	07-1-748	
06-11-500	06-8-151	07-1-750	07-1-860	
06-11-505	06-8-180	07-1-754	07-1-752	

APPLICATION CASE EXTENSIONS:

06-11-486	07-1-783	07-1-803	07-1-813	07-1-827
06-11-545	07-1-784	07-1-804	07-1-814	07-1-829
06-11-553	07-1-787	07-1-805	07-1-816	07-1-830
06-12-655	07-1-788	07-1-806	07-1-817	07-1-835
07-1-722	07-1-790	07-1-807	07-1-818	
07-1-737	07-1-791	07-1-808	07-1-819	
07-1-739	07-1-792	07-1-809	07-1-820	
07-1-746	07-1-797	07-1-810	07-1-821	
07-1-776	07-1-799	07-1-811	07-1-823	
07-1-780	07-1-801	07-1-812	07-1-824	

PSC ACTION: Approved

10. **APPLICATIONS FOR CERTIFICATION REPORT**

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 30 cases reflected on the *Applications for Certification Report*.

PSC ACTION: Approved

11. **REVIEW HEARING EXTENSIONS**

The Commission reviewed the *Review Hearing Extensions Report* concerning 6 hearing cases. An Administrative Law Judge rendered Initial Decisions on each case referenced in the report. The report indicates Orders were issued.

PSC ACTION: Approved

12. **VOLUNTARY SURRENDERS / VOLUNTARY DENIALS**

The Educator Ethics Review Committee recommended to accept the sanction of Revocation for the following 3 cases:

#	Case No.	STANDARDS VIOLATED	SANCTION	EERC Recomm.
1.	06-11-431	Criminal Acts Professional Conduct	Revocation	Accept
2.	06-11-498	Abuse of Students Professional Conduct	Revocation	Accept
3.	06-12-666	Criminal Acts Abuse of Students Professional Conduct	Revocation	Accept

PSC ACTION: Approved

13. **STUDENT LOAN SUSPENSION / REINSTATEMENTS**

The Commission reviewed the report, which indicated that there were 10 certificates *suspended* from March 8, 2007 through April 12, 2007. There were 13 certificates that had been *reinstated* because restitution is now being made on those student loans. There were 6 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.

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

The Commission reviewed the report, which advised of 21 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.

VI. **EXECUTIVE SECRETARY REPORT**

A. Dr. Toth gave an update House Bill 603, which would allow an alternative certification route without testing for those holding advanced degrees.

B. Dr. Toth gave an update on the legislation presented to move the Professional Standards Commission under the Department of Education.

C. The Appropriations committee will try to give us \$50,000 in contracts to handle our backlog of cases. We will be able to contract lawyers from South Georgia and this will allow the Attorney General's office to concentrate on cases in the metro area and North Georgia.

D. Rick Eiserman spoke about the Certification for initiation.

MOTION: (Muns / Robinson) 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 July 15, 2007, as follows: 505-2-.05, 505-2-.06, 505-2-.10, 505-2-.18, 505-2-.25, 505-2-.37, 505-2-.96, 505-2-.116, 505-2-.151, 505-2-.170, 505-2-.204, 505-2-.205, and 505-2-.206 and; (2) adopting new rules in Chapter 505-2 (Certification), effective July 15, 2007, as follows: 505-2-.125;

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PSC ACTION: Approved

E. Dr. Fran Watkins spoke about the Educator Preparation rules for initiation.

MOTION: (West / Robinson) To initiate rulemaking procedures in accordance with the Georgia Administrative Procedures Act so as to provide for amending the current rules in Chapter 505-3 (Educator Preparation) , effective July 15, 2007, as follows: 505-3-.12, 505-3-.64 and 505-3-.78..

PSC ACTION: Approved

VII. CHAIR'S REPORT

Chair Wilkes announced that the next commission meeting will take place in Atlanta on Thursday, May 10th at 9 a.m.

Dr. Holly Robinson was one of the final judges for the Georgia Teacher of the Year award. She spoke to the commission about her experience as one of the judges.

VIII. ADJOURNMENT

Chair Wilkes called for the meeting to be adjourned at 10:100 am.

PSC ACTION: Approved