

MINUTES

PROFESSIONAL STANDARDS COMMISSION

Two Peachtree Street

Atlanta, Georgia

January 12, 2012

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

Members Present

Julia Bernath	Meredith Hodges	Dr. Lawrence Walters
Marci Cawthon	Stephanie Leggett	Pam Walker
Alice Clements	Christy McGill	Dr. Debbie Wilkes
Penny Elkins	Bettina Polite Tate	Valerie Williams
Dr. Adrian Epps	Rose Powell	

Members Absent

Heath Garrett	David Johnson
Bill Haskin	Pam Williams

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: (Rose Powell / Meredith Hodges) To approve the agenda.

PSC ACTION: Approved

III. APPROVAL OF MINUTES

Chair Wilkes called for approval of the minutes from the December 8, 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
- Robert W. Smith, Attorney
- Eloise Hall
- Tayia Donald, Georgia Association of Educators (GAE)
- Cindi Chance, Georgia Association of Colleges for Teacher Education
- John Hooper, Georgia School Superintendents Association

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 30 *Probable Cause* cases during its January 12, 2012, meeting and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>STANDARDS VIOLATED</u>	<u>RECOMMENDATION</u>
11-9-320	2, 10	Deny
11-9-443	10	Deny
11-10-502	4, 10	Deny
11-11-656	1	Deny
11-11-666	1	Reprimand
11-4-1036	2, 10	Revoke
11-5-1085	4, 10	Suspension - 20 days
11-5-1131	8, 10	NPC
11-6-1234	4, 5, 7, 10	NPC
11-6-1255	4, 5 10	Suspension - 2 days
11-7-004	1, 5, 10	Revoke
11-7-021	1, 2, 10	Revoke
11-7-090	5, 10	NPC
11-8-110	1, 5, 10	Suspension - 2 Years
11-8-243	1, 2, 10	Revoke
11-8-244	1, 2, 9, 10	Revoke
11-8-250	10, 11	Suspension - 90 days
11-8-254	2,10	Revoke
11-8-257	1, 4, 9, 10	Revoke
11-9-351	1, 10	Suspension - 10 days
11-9-356	1, 10	NPC
11-9-434	5, 10	Suspension - 20 days
11-10-490	1	Reprimand
11-10-493	8, 10	Suspension - 90 days
11-10-503	1,4, 9	Reprimand
11-10-524	1, 9	NPC
11-10-526	3, 10	Suspension - 1 Year
11-11-577	3, 10	NPC
11-11-609	2, 10	Suspension - 10 days
11-11-613	1, 9	Reprimand

2. Ms. Powell reported that the Educator Ethics Review Committee reviewed 1 ***Initial Decision*** and brought the following recommendation on behalf of the Committee:

<u>CASE</u>	<u>STANDARDS VIOLATED</u>	<u>ALJ SANCTION</u>	<u>EERC RECOMMENDATION</u>
10-1-751	10	Suspension - 90 days	Accept

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

<u>CASE</u>	<u>PREVIOUS SANCTION</u>	<u>EERC RECOMMENDATION</u>
11-10-533	Denial April 8, 2010	Deny
11-11-565	Voluntary Surrender Feb. 9, 2006	Deny
11-11-591	Denial Jan. 23, 2009	Deny

4. Ms. Powell reported that the Educator Ethics Review Committee reviewed 7 ***Settlement Agreements*** and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>SANCTION</u>
10-11-502	Reprimand
11-6-1222	Suspension - 1 Year
11-6-1252	Reprimand
11-7-20	Reprimand
11-7-49	Suspension - 90 days
11-9-317	Reprimand
11-9-354	Reprimand

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

<u>CASE</u>	<u>EERC RECOMMENDATION</u>
09-3-1015	Accept
09-5-1196	Reject
09-5-1284	Accept
10-5-1148	Accept
10-6-1353	Reject

<u>CASE</u>	<u>EERC RECOMMENDATION</u>
10-9-248	Reject
10-11-507	Reject
10-12-551	Accept
10-12-632	Accept
11-3-894	Accept
11-4-1022	Accept
11-5-1137	Accept
11-6-1258	Accept

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>EERC RECOMMENDATION</u>
11-4-978	Suspension - 45 days	Approve

7. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 44 new complaints received during the months of December 2011 and January 2012.

8. EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS

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

11-12-673	11-12-676	11-12-679	11-12-682	11-12-685	11-12-688	11-12-691	11-12-694
11-12-674	11-12-677	11-12-680	11-12-683	11-12-686	11-12-689	11-12-692	11-12-695
11-12-675	11-12-678	11-12-681	11-12-684	11-12-687	11-12-690	11-12-693	

9. EXTENSIONS - INVESTIGATIONS

The Educator Ethics Review Committee recommended granting and *Investigative Extension* to the following 271 Written Complaints and 04 Application cases:

<u>WRITTEN COMPLAINT EXTENSIONS</u>							
10-7-34	11-7-91	11-8-144	11-8-179	11-8-241	11-9-370	11-9-405	11-10-483
10-12-553	11-7-91	11-8-145	11-8-180	11-8-242	11-9-371	11-9-406	11-10-484
10-12-562	11-7-98	11-8-146	11-8-181	11-8-249	11-9-372	11-9-407	11-10-485
10-12-569	11-7-99	11-8-147	11-8-182	11-8-255	11-9-373	11-9-408	11-10-486
10-12-611	11-8-108	11-8-148	11-8-183	11-8-263	11-9-374	11-9-409	11-10-492
11-1-646	11-8-114	11-8-149	11-8-185	11-8-264	11-9-375	11-9-410	11-10-501

WRITTEN COMPLAINT EXTENSIONS							
11-2-794	11-8-115	11-8-150	11-8-197	11-9-268	11-9-376	11-9-411	11-10-505
11-2-804	11-8-116	11-8-151	11-8-200	11-9-275	11-9-377	11-9-412	11-10-511
11-4-915	11-8-117	11-8-152	11-8-201	11-9-284	11-9-378	11-9-413	11-10-513
11-4-999	11-8-118	11-8-153	11-8-203	11-9-285	11-9-379	11-9-414	11-10-519
11-4-1000	11-8-119	11-8-154	11-8-210	11-9-298	11-9-380	11-9-415	11-10-521
11-4-1031	11-8-120	11-8-155	11-8-216	11-9-302	11-9-381	11-9-416	11-10-522
11-4-1046	11-8-121	11-8-156	11-8-217	11-9-304	11-9-382	11-9-417	11-10-525
11-4-1068	11-8-122	11-8-157	11-8-218	11-9-311	11-9-383	11-9-418	11-10-529
11-5-1117	11-8-123	11-8-158	11-8-219	11-9-321	11-9-384	11-9-419	11-10-531
11-5-1118	11-8-124	11-8-159	11-8-220	11-9-331	11-9-385	11-9-420	11-10-532
11-5-1149	11-8-125	11-8-160	11-8-221	11-9-332	11-9-386	11-9-421	11-11-478
11-5-1175	11-8-126	11-8-161	11-8-222	11-9-333	11-9-387	11-9-422	11-11-608
11-6-1192	11-8-127	11-8-162	11-8-223	11-9-337	11-9-388	11-9-423	11-11-653
11-6-1204	11-8-128	11-8-163	11-8-224	11-9-342	11-9-389	11-9-424	11-11-659
11-6-1205	11-8-129	11-8-164	11-8-225	11-9-343	11-9-390	11-9-429	11-11-662
11-6-1221	11-8-130	11-8-165	11-8-227	11-9-355	11-9-391	11-9-431	11-11-663
11-6-1227	11-8-131	11-8-166	11-8-228	11-9-357	11-9-392	11-9-433	11-11-665
11-6-1236	11-8-132	11-8-167	11-8-229	11-9-358	11-9-393	11-9-438	11-11-669
11-6-1272	11-8-133	11-8-168	11-8-230	11-9-359	11-9-394	11-9-444	11-11-670
11-6-1273	11-8-134	11-8-169	11-8-231	11-9-360	11-9-395	11-9-454	11-11-671
11-7-2	11-8-135	11-8-170	11-8-232	11-9-361	11-9-396	11-9-455	
11-7-3	11-8-136	11-8-171	11-8-233	11-9-362	11-9-397	11-9-456	
11-7-23	11-8-137	11-8-172	11-8-234	11-9-363	11-9-398	11-9-457	
11-7-25	11-8-138	11-8-173	11-8-235	11-9-364	11-9-399	11-9-458	
11-7-43	11-8-139	11-8-174	11-8-236	11-9-365	11-9-400	11-9-459	
11-7-84	11-8-140	11-8-175	11-8-237	11-9-366	11-9-401	11-9-460	
11-7-87	11-8-141	11-8-176	11-8-238	11-9-367	11-9-402	11-10-463	
11-7-88	11-8-142	11-8-177	11-8-239	11-9-368	11-9-403	11-10-480	
11-7-89	11-8-143	11-8-178	11-8-240	11-9-369	11-9-404	11-10-481	

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

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 1 hearing case. 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 04 certificates that had been reinstated because restitution is now being made on those student loans. There were 14 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. VOLUNTARY SURRENDERS

The Educator Ethics Review Committee recommended approval of the following 03 Voluntary Surrenders 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>EERC RECOMMENDATION</u>
11-10-528	2, 10	Voluntary Surrender	Accept
11-11-584	2, 4, 5, 10	Voluntary Surrender	Accept
11-11-604	2, 3, 5, 10	Voluntary Surrender	Accept

Chair Wilkes called for approval of the Educator Ethics Review Committee report as presented by Rose Powell excluding case #'s 11-12-673, 11-12-718, 11-12-714 and 11-12-677.

PSC ACTION: Approved

Abstention: Case # 11-11-604 – Dr. Larry Walters

Preliminary Investigative Determination Case # 11-12-673

MOTION: (Julia Bernath / Rose Powell) To accept the Educator Ethics Review Committee’s No Probable Cause recommendation.

PSC ACTION: Approved

Preliminary Investigative Determination Case # 11-12-718

MOTION: (Stephanie Leggett / Valerie Williams) To accept the Educator Ethics Review Committee’s No Probable Cause recommendation.

PSC ACTION: Approved

Preliminary Investigative Determination Case # 11-12-714

MOTION: (Meredith Hodges / Dr. Penny Elkins) To accept the Educator Ethics Review Committee’s No Probable Cause recommendation.

PSC ACTION: Approved

Opposed: Stephanie Leggett

Preliminary Investigative Determination Case # 11-12-677

MOTION: (Stephanie Leggett / Dr. Adrian Epps) To change the Educator Ethics Review Committee’s No Probable Cause recommendation to Investigate.

PSC ACTION: Approved

B. Educator Preparation Standing Committee

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

RECOMMENDATIONS		
	Unit Number	
1.	5070	Developmental Approval-One Program
2.	5090	Developmental Approval-Two Programs
3.	2920	Continuing Approval-Professional Education Unit and Programs
4.	8564	Continuing Approval-One Program
5.	5070	Continuing Approval-Three Programs
6.	5285	Progress is Satisfactory

SYNOPSIS				
	Unit Number	Standards	Detailed Approval Recommendations	Additional Action Required
1.	5090	1-8	The Committee recommends Developmental Approval for the Early Childhood Education (M.A.T) and the Physics Education programs.	
2.	2920	1-8	The Committee recommends Developmental Approval for the professional education unit at the initial and advanced levels and for the Early Childhood Education, English Education, Mathematics Education and Middle Grades Education programs.	
3.	8564	1-8	The Committee recommends Continuing Approval for the Georgia Teacher Academy of Preparation and Pedagogy (GaTAPP).	
4.	5070	1-8	The Committee recommends Developmental Approval for one Educational Leadership program and Continuing Approval for three Educational Leadership programs.	Progress Report addressing the area for improvement due to the Educator Preparation Standing Committee by July 2012 Meeting.
5.	5285	2 , 5, and 6	The Committee recommends that Progress is Satisfactory for each area for improvement and the areas for improvement for Standards 2, 5, and 6 be removed.	

Chair Wilkes called for approval of the Educator Preparation Committee report as presented by Dr. Penny Elkins excluding unit number 2920.

PSC ACTION: Approved

UNIT NUMBER 2920

MOTION: (Julia Bernath / Dr. Larry Walters) To change the recommendation of the Educator Preparation Committee from Continuing Approval to Developmental Approval.

ACTION: Approved

VI. RULES

Anne Marie Fenton presented the rules for initiation:

MOTION: (Julia Bernath / Stephanie Leggett) 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 April 15, 2012, as follows: 505-3-.18 and 505-3-.70.

ACTION: Approved

VII. REVIEW HEARING

- | | |
|-----------------|----------------------------|
| 1. Kristy Johns | - Educator Case # 10-8-139 |
| Wayne Magnum | - Hearing Officer |
| Rebecca Mick | - PSC Attorney |
| Robert W. Smith | -Educator Attorney |

MOTION: (Dr. Penny Elkins / Dr. Adrian Epps) To go into Executive Session and allow PSC staff (Paul Shaw, Kevin Shumake, Kim Anderson, Nancy Teele and Tanis Miller) to remain.

ACTION: Approved

MOTION: (Dr. Penny Elkins / Dr. Adrian Epps) To come out of Executive Session and reconvene the Regular Session.

ACTION: Approved

MOTION: (Valerie Williams / Dr. Penny Elkins) 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 certificate held by Kristy Johns be revoked effective January 12, 2012.

ACTION: Approved

Abstention: Dr. Adrian Epps

VIII. COMMENTS/ADJOURNMENT

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- The Commission agreed to the following standardized sanction for viewing pornographic material at school or when using school systems property and/or network: a) With no student involvement – 45 days; and b) With student involvement – minimum of 90 days
- Improper administration of benchmark tests will be handled at the school system level unless there is a compelling reason for the PSC to exercise jurisdiction. The PSC will continue to handle all improper administration of standardized tests. The PSC staff will communicate this to the school systems.
- The Educator Ethics staff will prepare recommendations regarding abandonment of contract issues.
- There was discussion regarding the feasibility of PSC staff providing annual aggregated ethics violations data to Georgia program providers on their completers of initial preparation programs. Names would not be included in this data.

Chair Wilkes called for the meeting to be adjourned at 1:40 pm.

PSC ACTION: Approved