

# MINUTES

## PROFESSIONAL STANDARDS COMMISSION

2 Peachtree Street  
29<sup>th</sup> Floor, DHR Boardroom  
Atlanta, Georgia  
July 12, 2005

The Georgia Professional Standards Commission (PSC) met on Thursday, July 12, 2005, at 9 a.m.

### Members Present

Stephen Dartt	Maria Miller	Sandra Thompson
Terri DeLoach	Dr. Louisa Moffitt	Dr. Wanda West
Jean Ebron	Dr. Holly Robinson	Dr. Debbie Wilkes
Carolyn Lee Hart	Dr. Craig Smith	

### Members Absent

Mary Gomez	Amy Denty
Dr. Mary Outlaw	Gary Bechtel
Lee Muns	

### I. CALL TO ORDER

Terri DeLoach called the meeting to order at 9:00 a.m. and led the Pledge of Allegiance to the U.S. flag and a moment of silence.

### II. RECOGNITION OF VISITORS

Terri DeLoach recognized the visitors.

- Margaret Elliott, Professional Association of Georgia Educators
- Judy Johnson
- James David Durham, Attorney
- Alfred Evans, Jr., Attorney
- Camala Hunt
- DeBrae Kennedy, Assistant Attorney General
- Borquaye Thomas, Esq., Kramer & Patel
- Michelle Pollok, Georgia Association of Educators (GAE)
- LeAnne DeLoach
- Shalini Patel, Attorney

### III. SERVICE AWARDS

Terri DeLoach the following with Service Awards:

Marion Toombs – 10 Years

Yolanda Thrash – 5 Years

### IV. ADOPTION OF AGENDA

Terri DeLoach called for approval of the agenda.

**MOTION:** (Robinson / Thompson) To approve agenda.

**PSC ACTION:** Approved

**V. APPROVAL OF MINUTES**

Terri Deloach called for approval of the minutes from the June 9, 2005, Commission meeting.

**PSC ACTION:** Approved

**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 64 *Probable Cause* cases during its July 11, 2005, meeting and brought the following recommendations on behalf of the Committee excluding case #63:

#	CASE NUMBER	STANDARDS VIOLATED	RECOMMENDATION
1	05-02-1293	Abandonment of Contract Professional Conduct	No Probable Cause
2	05-03-1486	Abandonment of Contract Professional Conduct	Suspension for Six Months
3	05-03-1511	Abandonment of Contract Professional Conduct	Suspension for Six Months
4	04-11-677	<del>Abuse of Students</del> Professional Conduct	Reprimand
5	05-04-1529	Abuse of Students Professional Conduct	Suspension for Two Years
6	05-04-1538	Abuse of Students Professional Conduct	Reprimand
7	05-04-1560	Abuse of Students Professional Conduct	Suspension for Three Months
8	05-04-1564	Abuse of Students Professional Conduct	Suspension for One Year
9	05-05-1594	Abuse of Students Professional Conduct	Reprimand
10	05-04-1532	Alcohol or Drugs Professional Conduct	Revocation
11	05-05-1591	Alcohol or Drugs Professional Conduct	Suspension for One Year
12	05-05-1589	Confidential Information Misrepresentation or Falsification Professional Conduct	Suspension for One Month

#	CASE NUMBER	STANDARDS VIOLATED	RECOMMENDATION
13	05-05-1590	Confidential Information Professional Conduct	Suspension for Six Months
14	05-05-1605	Confidential Information Misrepresentation or Falsification Professional Conduct	Suspension for Three Months
15	04-11-632	Criminal Acts Professional Conduct Abuse of Students	Suspension for One Year
16	05-02-1129	Criminal Acts Misrepresentation or Falsification Professional Conduct	Warning
17	05-02-1218	Criminal Acts Professional Conduct	Warning
18	05-02-1258	Criminal Acts Professional Conduct	Warning
19	05-02-1270	Criminal Acts Professional Conduct	Warning
20	05-02-1272	Criminal Acts Professional Conduct	Denial
21	05-02-1287	Criminal Acts Abuse of Students Professional Conduct	Revocation
22	05-02-1291	Criminal Acts Professional Conduct	Revocation
23	05-03-1411	Criminal Acts Professional Conduct	No Probable Cause
24	05-03-1443	Criminal Acts Professional Conduct Abuse of Students	Revocation
25	05-03-1449	Criminal Acts Professional Conduct	Suspension for Three Months
26	05-03-1471	Criminal Acts Abuse of Students Public Funds and Property Professional Conduct	Revocation
27	05-04-1542	Criminal Acts Professional Conduct	Warning
28	05-04-1563	Criminal Acts Professional Conduct	Reprimand
29	05-04-1559	Failure to Make a Required Report Professional Conduct	No Probable Cause
30	05-05-1585	Failure to Make a Required Report Professional Conduct	No Probable Cause

#	CASE NUMBER	STANDARDS VIOLATED	RECOMMENDATION
31	05-02-1116	Misrepresentation or Falsification Criminal Acts Professional Conduct	Revocation
32	05-02-1124	Misrepresentation or Falsification Criminal Acts Failure to Make a Required Report Professional Conduct	No Probable Cause
33	05-02-1209	Misrepresentation or Falsification Abuse of Students Failure to Make a Required Report Professional Conduct Action Taken Against an out-of-state Certificate	Revocation
34	05-02-1219	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	Warning
35	05-02-1223	Misrepresentation or Falsification Professional Conduct	Reprimand
36	05-02-1227	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	No Probable Cause
37	05-02-1234	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	Reprimand
38	05-02-1256	Misrepresentation or Falsification Criminal Acts Failure to Make a Required Report Professional Conduct	Reprimand
39	05-02-1268	Misrepresentation or Falsification Criminal Acts Professional Conduct	Reprimand
40	05-02-1294	Misrepresentation or Falsification <del>Abuse of Students</del> <del>Confidential Information</del> Professional Conduct	Suspension for Three Months
41	05-02-1317	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	No Probable Cause
42	05-02-1319	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	Warning
43	05-02-1342	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	No Probable Cause
44	05-03-1356	Misrepresentation or Falsification	Suspension for One

#	CASE NUMBER	STANDARDS VIOLATED	RECOMMENDATION
		Criminal Acts Failure to Make a Required Report Professional Conduct	Month
45	05-03-1364	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	No Probable Cause
46	05-03-1452	Misrepresentation or Falsification Professional Conduct	Suspension for One Month
47	05-04-1562	Misrepresentation or Falsification Professional Conduct	No Probable Cause
48	05-05-1710	Misrepresentation or Falsification Professional Conduct	Suspension for Three Months
49	05-03-1357	Professional Conduct Action Taken Against an out-of-state Certificate	No Probable Cause
50	05-03-1454	Professional Conduct	Reprimand
51	05-03-1506	Professional Conduct	Suspension for One Month
52	05-04-1552	Professional Conduct	Reprimand
53	05-04-1554	Professional Conduct Confidential Information	Reprimand
54	05-04-1561	Professional Conduct	Reprimand
55	05-04-1566	Professional Conduct	No Probable Cause
56	05-04-1568	Professional Conduct Improper Remunerative Conduct	Warning
57	05-05-1588	Professional Conduct	Reprimand
58	05-05-1596	Professional Conduct	Warning
59	05-04-1546	Public Funds and Property Professional Conduct	Suspension for Six Months
60	05-03-1420	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	Warning
61	05-05-1602	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	Warning
62	05-05-1627	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	Warning
63	05-05-1697	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	No Recommendation
64	05-06-1769	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	Warning

**PSC ACTION:** Approved

**Case # 63**

**MOTION:** (Moffitt / Thompson) To accept a Warning on Probable Cause case #63.

**PSC ACTION:** Approved

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

CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	ADMINISTRATIVE LAW JUDGE SANCTION	RECOMM.
03-12-823	Abandonment of Contract Professional Conduct	Suspension for Six Months	Suspension for Six Months	Accept
03-10-559	Alcohol or Drugs Professional Conduct	Suspension for One Year	Suspension for One Year	Accept

**PSC ACTION:** Approved

3. Ms. Miller reported that the Educator Ethics Review Committee reviewed 8 *Petitions Issues* and brought the following recommendations on behalf of the Committee:

CASE NUMBER	REQUEST	PREVIOUS SANCTION	PREVIOUS VIOLATION	RECOMM
05-04-1547	Right to Reapply	Revoked: 12/18/2000	Criminal Acts	Deny
05-02-1274	Right to Reapply	Revoked: 1/10/2002	Criminal Acts Abuse of Students	Deny
05-04-1535	Right to Reapply	Revoked: 5/12/2002	Criminal Acts	Deny
01-05-1729 04-09-0322	Right to Petition Early	Denied: 9/6/2001 Denied Right to Reapply: 11/11/2004	Abuse of Students	Deny
05-05-1651	Right to Reapply	Denied: 12/7/1995	Public Funds & Property	Deny
05-05-1586	Right to Reapply	Revoked: 3/12/2001	Criminal Acts Professional Conduct	Grant
05-04-1534	Right to Reapply	Denied: 4/18/2003	Misrepresentation/Falsification Professional Conduct	Grant
05-03-1451	Right to Reapply	Denied: 5/8/2003	Misrepresentation/Falsification	Deny

**PSC ACTION:** Approved

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

#	CASE NUMBER	SANCTION	SANCTIONS VIOLATED	RECOMMENDATION
1	05-01-1025	Suspension for One Month	Alcohol or Drugs Professional Conduct	Accept
2	05-01-1029	Suspension for Three Months	Abuse of Students Professional Conduct	Accept
3	05-01-1085	Reprimand	Professional Conduct	Accept
4	05-01-1087	Warning	Misrepresentation or Falsification Criminal Acts Professional Conduct	Accept
5	05-02-1122	Warning	Misrepresentation or Falsification Criminal Acts Professional Conduct	Accept
6	05-02-1202	Reprimand	Misrepresentation or Falsification Professional Conduct	Accept
7	05-02-1208	Warning	Misrepresentation or Falsification Professional Conduct	Accept
8	05-02-1283	Reprimand	Misrepresentation or Falsification Professional Conduct	Accept
9	05-02-1284	Suspension for One Year	Professional Conduct	Accept
10	05-02-1299	Suspension for One Month	Misrepresentation or Falsification Professional Conduct Public Funds and Property	Accept
11	05-02-1310	Suspension for Six Months	Abandonment of Contract Professional Conduct	Accept
12	05-02-1337	Suspension for Two Years	Professional Conduct	Accept
13	05-03-1427	Suspension for Six Months	Professional Conduct Criminal Acts Alcohol or Drugs	Accept
14	05-03-1440	Suspension for Three Months	Criminal Acts Failure to Make a Required Report Misrepresentation or Falsification	Accept
15	05-03-1483	Warning	Professional Conduct	Accept
16	05-04-1515	Reprimand	Professional Conduct	Accept
17	05-04-1530	Warning	Professional Conduct	Accept
18	05-05-1587	Suspension for Two Months	Criminal Acts Professional Conduct	Accept

**PSC ACTION:** Approved

5. Ms. Miller reported that the Educator Ethics Review Committee reviewed 13 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee excluding case #03-12-843 and case #03-12-844:

CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANTIION	NEGOTIATED SANCTION	RECOMM.
04-11-631	Abuse of Students Professional Conduct	Revocation	Suspension for One Year	Accept
04-01-1051	Criminal Acts Failure to Make a Required Report Professional Conduct	Revocation	Revocation	Accept
04-6-1760	Professional Conduct	Suspension for One Week	Suspension for One Week	Accept
04-7-124	Misrepresentation or Falsification Professional Conduct	Suspension for Two Months	Suspension for Two Months	Accept
04-08-207	Criminal Acts Abuse of Students Professional conduct	Revocation	Revocation	Accept
03-12-843	Alcohol or Drugs Professional Conduct	Suspension for One Week	Reprimand	Accept
03-12-844	Alcohol or Drugs Professional Conduct	Suspension for One Week	Reprimand	Accept
04-12-788	Professional Conduct	Suspension for Three Months	Suspension for Two Weeks	Reject
04-09-337	Abuse of Students Professional Conduct	Suspension for Three Months	Suspension for Two Months	Accept
04-05-1600	Misrepresentation or Falsification	Suspension for Three Months	Suspension for Two Weeks	Accept
04-10-498	Criminal Acts	Denial	Reprimand	Accept
04-06-1782	Abuse of Students Misrepresentation or Falsification Professional Conduct	Suspension for Two Years	Suspension for Two Years	Accept
04-06-1731	Alcohol or Drugs	Revocation	Suspension for Two Years	Accept

**PSC ACTION:** Approved

**Case # 03-12-843 and Case #03-12-844**

**MOTION:** (Dartt / Robinson) To reject the Negotiated Sanction of a Reprimand.

**PSC ACTION:** Approved

Opposed: Carolyn Hart, Jean Ebron, Debbie Wilkes

6. Ms. Miller reported that the Educator Ethics Review Committee reviewed 2 *Voluntary Surrender/Voluntary Denials* and brought the following recommendation on behalf of the Committee:



CASE NUMBER	SANCTION	STANDARDS VIOLATED	RECOMMENDATION
05-05-1678	Revocation	Professional Conduct	Accept
05-03-1501	Revocation	Public Funds and Property Professional Conduct	Accept

**PSC ACTION:** Approved

7. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 65 new complaints received during the months of June and July 2005:

**PSC ACTION:** Approved

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

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

Case Number	Case Number	Case Number	Case Number
05-6-1817	05-6-1821	05-6-1825	05-6-1829
05-6-1818	05-6-1822	05-6-1826	05-6-1830
05-6-1819	05-6-1823	05-6-1827	
05-6-1820	05-6-1824	05-6-1828	

**PSC ACTION:** Approved

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

The Educator Ethics Review Committee recommended granting and *Investigative Extension* to the following 94 cases:

Case Number	Case Number	Case Number	Case Number	Case Number	Case Number	Case Number	Case Number
05-04-1569	05-05-1607	05-02-1245	05-05-1612	05-05-1633	05-05-1695	05-06-1733	05-06-1788
05-05-1592	05-03-1455	05-02-1266	05-05-1613	05-05-1634	05-05-1698	05-06-1735	05-06-1797
05-02-1282	05-03-1473	05-02-1314	05-05-1614	05-05-1637	05-06-1716	05-06-1736	05-06-1798
05-03-1439	05-04-1553	05-02-1315	05-05-1616	05-05-1638	05-06-1718	05-06-1754	
05-03-1456	05-05-1595	05-03-1361	05-05-1619	05-05-1642	05-06-1720	05-06-1755	
05-03-1482	05-05-1603	05-03-1363	05-05-1622	05-05-1644	05-06-1721	05-06-1760	
05-04-1531	05-03-1474	05-03-1409	05-05-1623	05-05-1645	05-06-1723	05-06-1761	
05-04-1545	05-03-1479	05-03-1413	05-05-1624	05-05-1647	05-06-1726	05-06-1764	
05-04-1551	05-04-1544	05-03-1416	05-05-1626	05-05-1648	05-06-1728	05-06-1765	
05-04-1555	05-04-1550	05-03-1419	05-05-1628	05-05-1690	05-06-1729	05-06-1770	
05-01-998	05-05-1593	05-03-1458	05-05-1629	05-05-1691	05-06-1730	05-06-1781	
05-02-1327	05-01-0932	05-03-1459	05-05-1630	05-05-1693	05-06-1731	05-06-1782	
05-05-1606	05-02-1125	05-05-1597	05-05-1632	05-05-1694	05-06-1732	05-06-1783	

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**PSC ACTION:** Approved

10. **REVIEW HEARING EXTENSIONS**

The Commission reviewed the *Review Hearing Extensions Report* concerning 2 hearing cases. An Administrative Law Judge rendered Initial Decisions on each case referenced in the report. The report indicates Orders that have been issued by the Commission to extend time by 30 additional days to preserve the Commission's time to conduct review hearings.

11. **APPLICATIONS FOR CERTIFICATION REPORT**

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 96 cases reflected on the *Applications for Certification Report*.

**PSC ACTION:** Approved

12. **STUDENT LOAN SUSPENSION / REINSTATEMENTS**

The Commission reviewed the report, which indicated that there were no certificates suspended from June 9, 2005 through July 12, 2005. There were 5 certificates that had been reinstated because restitution is now being made on those student loans. The Commission was also advised that there were no issues where notification had been received to suspend where 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 22 cases now closed without an appeal for a hearing before an Administrative Law Judge. The report also advised that there were no cases closed without an appeal for a review hearing before the Commission.

**VII. REVIEW HEARINGS**

- |                        |                               |
|------------------------|-------------------------------|
| 1. Leroy A. Van Putten | - Educator (Case # 03-6-2396) |
| Wayne Magnum           | - Hearing Officer             |
| Penny Hannah           | - PSC Attorney                |
| Borquaye A. Thomas     | - Attorney                    |

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

**ACTION:** Approved

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

**ACTION:** Approved

**MOTION:** (Miller / West) To adopt the Findings of Fact, Conclusions of Law and Decision reached by the Administrative Law Judge with the following specification. The Commission hereby ORDERS that the Georgia educator certificate held by Leroy Van Putten be Suspended for a period of three years effective July 27, 2005 and shall conclude on July 27, 2008.

**PSC ACTION:** Approved

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- |                    |                              |
|--------------------|------------------------------|
| 2. Judith Johnson  | - Educator (Case #03-6-2263) |
| Wayne Magnum       | - Hearing Officer            |
| DeBrae Kennedy     | - PSC Attorney               |
| James David Dunham | - Attorney                   |

**MOTION:** (Hart / Thompson) To go into Executive Session and allow PSC staff and attorney (Gary Walker, Penny Hannah, Cassandra Moore and Lisa Hartzler) to remain.

**ACTION:** Approved

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

**ACTION:** Approved

**MOTION:** (Dartt / Miller) To adopt the Findings of Fact, Conclusions of Law and Decision reached by the Administrative Law Judge with the following specification. The Commission hereby ORDERS that the Georgia educator certificate held by Judith Johnson be Revoked effective July 12, 2005.

**PSC ACTION:** Approved

- |                   |                              |
|-------------------|------------------------------|
| 3. Camala A. Hunt | - Educator (Case #04-2-1169) |
| Wayne Magnum      | - Hearing Officer            |
| Alfred Evans, Jr. | - PSC Attorney               |
| Shalini A. Patel  | - Attorney                   |

**MOTION:** (Thompson / West) To go into Executive Session and allow PSC staff and attorney (Gary Walker, Penny Hannah, Cassandra Moore and Lisa Hartzler) to remain.

**ACTION:** Approved

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

**ACTION:** Approved

**MOTION:** (Ebron / Hart) The Findings of Fact found by the Administrative Law Judge as indicated in paragraphs 1, 2, & 3 of the Initial Decision are hereby adopted and incorporated by reference herein, in their entirety and makes the following changes:

The Commission hereby adds the following language to paragraph 3:

The record reflects that the Educator went through orientation at which time school system procedures were outlined. The Educator was counseled again on these procedures by her principal in September or October 2003. Thereafter, the Educator admitted that she had still failed to properly receipt moneys or gifts received or to account for expenditures of moneys. The paraprofessionals who worked under the Educator were uncomfortable with the way she handled moneys. The Educator's lack of record keeping made it difficult to tell exactly where donations and funds had come from and how they had been expended.

The Commission hereby strikes the language contained in paragraphs 4, 5 & 6 in their entirety and based on a review of the record, adds a new paragraph 4:

**4.**

**THE GARAGE SALE**

The Educator held a garage sale at her home with personal items as well as items which had been brought from her classroom at school. The Educator sent out a flyer, which thanked students and school personnel for his or her participation in the garage sale. The flyer stated that the sale had raised \$450.00 for the class to buy items on its wish list. The Educator got permission to sell the items from her immediate supervisor but did not get permission from her principal to hold the fundraiser as required under school system policy. The Educator did submit the proceeds to the school bookkeeper. The Educator was counseled about the need to follow system procedure with regards to fundraising by her principal in September or October of 2003.

The Commission hereby adopts the language contained in paragraph 7 in its entirety but renumbers as paragraph 5:

The Commission hereby strikes the language contained in paragraphs 8 & 9 in their entirety and based on a review of the record, adds a new paragraph 6:

**6.**

**THE COFFEE SHOP**

The Educator's students opened a coffee shop within the school. Coffee and some other supplies were bought from a local Starbucks at a discount. All drinks were offered at \$1 or less. The coffee shop lost money, approximately \$700 to \$800. The Educator did not consistently turn the money taken in at the end of every day to the bookkeeper as required by school system policy. The Educator could not fully account for moneys expended in buying supplies for the coffee shop.

The Commission hereby strikes the language contained in paragraph 10 in its entirety and based on a review of the record, adds a new paragraph 7:

**7.**

**COMMUNITY BASED INITIATIVE FUNDS**

As part of curriculum, the Educator's class participated in Community Based Initiatives whereby they would leave the school environment and go on outings in the community. Oftentimes the students would require personal funds to purchase lunch or other items. The Educator allowed students to bring \$20 at the beginning of each month to cover such expenses. The moneys were not receipted and given to the bookkeeper but were kept in individual boxes for each student. This was contrary to school system policy.

The Commission hereby adopts language contained in paragraph 11 but renumbers as paragraph 8.

The Commission hereby strikes the language contained in paragraphs 12, 13 & 14 in their entirety and based on a review of the record, adds a new paragraph 9:

**9.**

**AQUATIC CENTER**

On occasion, the Educator provided respite care on her personal time to two of her students. On some occasions the Educator took those students to an aquatic center. While the Educator coached the county school system's diving team, the students participated in a free swim at another pool in the facility. The Educator had the parents' permission to take these students to the aquatic center to participate in the free swim. The Educator stated that this was not a school field trip, nor did these two students participate in the dive team. Nonetheless, the permission slip the Educator had parents sign was a county school system form for participating in the dive team. This was improper by school system policies.

The Commission hereby strikes the language contained in paragraphs 15 & 16 in their entirety and based on a review of the record, adds a new paragraph 10:

**10.**

**KOHL'S GIFT CARDS AND COUPONS**

The Educator solicited and received gift cards totaling \$600 for her students from Kohl's Department Store. Her principal gave them to the Educator after she had received them through a local businessman from a local charity who specifically said they were for three needy students in the Educator's class. The businessman testified that the charity with which he is affiliated specifically relies on social workers and teachers to identify needy children and distribute the cards. The principal testified that while the gift cards did not need to be given to the bookkeeper, school system policy required the Educator to account for how the cards were spent but she could not.

The Commission hereby strikes the language contained in paragraph 17 in its entirety and based on a review of the record, adds a new paragraph 11:

**11.**

**BURGER KING DONATION**

The Educator cashed a check in the amount of \$600 received from a local Burger King franchise where her students had participated in a number of projects. The check was given for the Educator's students. The Educator did not disclose receipt of this check to her principal and could not account for how the money was spent. As such, the Educator violated school system policies.

The Commission hereby strikes the language contained in paragraphs 18, 19, 20 & 21 in their entirety and based on a review of the record, adds a new paragraph 12:

**12.**

**ADDITIONAL DONATIONS**

The Educator admitted to receiving donations from other merchants (Kroger, Publix, Home Depot). In so doing, she identified herself as a teacher at North Cobb High School and that the donations would be used for North Cobb High School Special Education students. The Educator admitted that she did not follow school system financial policies in regard to these donations or the expenditure of them. The Educator solicited and received televisions from Home Depot for her students, but gave one to her paraprofessional.

### **CONCLUSIONS OF LAW**

The Conclusions of Law found by the Administrative Law Judge as indicated in paragraphs 1& 2 in the Initial Decision are hereby adopted and incorporated by reference herein, in their entirety. The Commission hereby strikes the language in paragraphs 3 & 4 of the Conclusions of Law and replaces those paragraphs with the following language:

#### **3.**

The Commission charges that the Educator violated Commission Rules 505-6-.01(3)(e)(1), (2) and (4) and 505-6-.01(3)(j). The Commission recommended that the Educator's teaching certificate be suspended for one year.

#### **4.**

Commission Rule 505-6-.01(3)(e) states:

- (e) Standard 5: Public Funds and Property – An educator entrusted with public funds and property should honor that trust with a high level of honesty, accuracy, and responsibility. Unethical conduct includes but is not limited to:
  - (1) misusing public or school-related funds;
  - (2) failing to account for funds collected from students or parents
  - (4) co-mingling public or school related funds with personal funds or checking accounts

The Commission finds that the evidence showed that the Educator violated this standard by: soliciting donations for her students as a teacher without requisite permission; by failing to account for the expenditure of those funds; by failing to remit donations and cash received as required by school system policies; by co-mingling school-related purchases with personal purchases; by questionable or unaccountable purchases made with school-related funds; by failing to account for moneys collected from students or parents; by violations of school system policies for fundraising and the accounting of moneys received and spent on school-related activities and by the distribution of funds or donations in a questionable manner or in a way not intended by the donor. In so finding, the Commission notes that the Educator admitted to many of these acts. Additionally, the Commission notes that the Educator was required to know school system policies for the handling of funds and further, was instructed by her principal in that regard.

The Commission hereby adopts language contained in paragraph 5 and 6.

The Commission hereby strikes the language in paragraph 7 of the Conclusions of Law and replaces the

paragraph with the following language:

**7.**

Commission Rule 505-6-.01(3)(j) provides:

Standard 10: Professional Conduct – An educator should demonstrate conduct that follows generally recognized professional standards. Unethical conduct is any conduct that impairs the certificate holder’s ability to function professionally in his or her employment position (e.g. harassment of colleagues, misuse or management of tests, test materials, uncontrolled anger, etc.) or a pattern of behavior or conduct that is detrimental to the health, welfare, discipline or morals of student (e.g. inappropriate language, physical altercations, inadequate supervision, inappropriate discipline, etc.)

The Commission finds that the evidence showed that the Educator violated this standard in her pattern of lax standards in the handling and expenditure regarding school-related moneys and by her inappropriate and careless handling of providing respite care, allegedly on her personal time, to two students assigned to her class.

**DECISION**

**1.**

It is the decision of the Commission that a substantial number of the allegations were proven at the hearing in this matter. The Commission therefore finds that the Educator did violate the Code of Ethics for Educators, specifically Rules 505-6-.01(3)(e) and (j). The Commission finds that these violations are of a serious nature and hereby suspends the Georgia Educator Certificate held by Camala Hunt be Suspension for a period of One Week (effective July 27, 2005 through August 2, 2005).

**PSC ACTION:** Approved

**VIII. CHAIRPERSONS REPORT**

Chair Deloach announced that the next meeting will be held on Thursday, August 11, 2005 at Two Peachtree Street on the 29<sup>th</sup> floor in Atlanta.

**IX. EXECUTIVE SECRETARY REPORT**

The Executive Secretary presented the following:

**A.** A Public Hearing was held on Monday, August 11, 2005, on the Special Education Certification, Preparation and Ethic Rules that were initiated May 13, 2005 and that we will vote on today.

**B. MOTION:** (Miller/ Robinson) To rescind the current rules in Chapter 505-2 (Certification), effective August 15, 2005, as follows: 505-2-.52, 505-2-.72, 505-2-.75, 505-2-.76, 505-2-.80, 505-2-.86, 505-2-.97, and 505-2-.110;

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(2) adopt new rules in Chapter 505-2 (Certification), effective August 15, 2005, as follows: 505-2-.103, 505-2-.104, 505-2-.105, 505-2-.106, 505-2-.107, 505-2-.108, 505-2-.109, 505-2-.110, 505-2-.111, 505-2-.112, 505-2-.170, 505-2-.171, 505-2-.172, and 505-2-.174; (3) amend rules for Chapter 505-3 (Educator Preparation) effective August 15, 2005, as follows: 505-3-.61, 505-3-.62, 505-3-.63, 505-3-.66, 505-3-.67, 505-3-.68, 505-3-.71, 505-3-.72, 505-3-.73, and 505-3-.75; (4) Amend rules for Chapter 505-6 (Educator Ethics), effective August 15, 2005 as follows: 505-6-.01.

**PSC ACTION:** Approved  
Opposed – Carolyn Hart

C. Dr. Toth discussed the meaning of Cognitive Level and gave handouts to the Commissioners on Cognitive Level Operational Definition.

D. Dr. Toth gave handouts to the Commissioners on The Georgia Housse. The Georgia Content Area Rubric is the State's high objective uniform state standard of evaluation (HOUSSE). It is an assessment system that is used to verify a veteran teacher's competency in academic subjects in which the teacher teaches. HOUSSE may be used if a veteran teacher meets all requirements to be fully certified to teach in Georgia, but does not meet either the content or testing requirement to be considered "highly qualified."

E. Dr. Toth gave handouts to the Commissioners The Georgia Implementation Guidelines; The No Child Left Behind Act of 2001 Title II, Part A; Criteria for "Highly Qualified" Teachers.

## **X. ADJOURNMENT**

**MOTION:** (Miller / Robinson) To adjourn the meeting.

**PSC ACTION:** The meeting adjourned at 12:55 pm.