

# MINUTES

## PROFESSIONAL STANDARDS COMMISSION

2 Peachtree Street  
5<sup>th</sup> Floor, PSC Boardroom  
Atlanta, Georgia  
May 11, 2006

The Georgia Professional Standards Commission (PSC) met on Thursday, May 10, 2006, at 9 a.m.

### **Members Present**

Sallie Bullock	Dr. Carolyn Lee Hart	Lee Muns
Stephen Dartt	Mary Gomez	Dr. Mary Outlaw
Terri DeLoach	Pamela Greenway	Dr. Holly Robinson
Amy Denty	Maria Miller	Dr. Wanda West
Jean Ebron	Dr. Louisa Moffitt	Dr. Debbie Wilkes

### **Members Absent**

Gary Bechtel  
Dr. Craig Smith

### **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
- Gayle Wooten, Professional Association of Georgia Educators
- Jacquelyn Walker
- Sharman White
- James Hunter
- Elma Redden
- Andrew McGee
- Tommy Green, Georgia Association of Educators (GAE)
- Sebrina Sims
- John Hooper, Georgia Association of Educators
- Peggy Sorrells, The Governors Office of Constituent Services

### **III. OTHER**

Ms. Peggy Sorrells, The Governors Office of Constituent Services, presented Dr. F.D. Toth, Dr. Gary Walker and John Grant with a certificate from the State of Georgia by His Excellency Sonny Perdue, Governor, appointing them Lieutenant Colonel, Aide De Camp, Governor's Staff.

### **IV. ADOPTION OF AGENDA**

Terri DeLoach called for approval of the agenda.

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

**PSC ACTION:** Approved

## V. APPROVAL OF MINUTES

Terri Deloach called for approval of the minutes from the April 13, 2006, 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.

- Ms. Miller reported that the Committee reviewed 49 *Probable Cause* cases during its May 10, 2006, meeting and brought the following recommendations on behalf of the Committee excluding case #05-6-1887:

#	CASE NUMBER	STANDARDS VIOLATED	RECOMMENDATION
1	05-12-683	Criminal Acts Professional Conduct	Reprimand
2	06-2-891	Criminal Acts Professional Conduct	Revocation
3	06-2-907	Criminal Acts Abuse of Students Professional Conduct	Extend Probable Cause Determination until July 27, 2006
4	06-3-951	Criminal Acts Professional Conduct	Reprimand
5	06-3-992	Criminal Acts Misrepresentation or Falsification Professional Conduct	Denial
6	06-3-1032	Criminal Acts Professional Conduct	Denial
7	06-3-1098	Criminal Acts Professional Conduct	No Probable Cause
8	06-3-1122	Criminal Acts Professional Conduct	Denial
9	05-6-1887	Abuse of Students Criminal Acts Professional Conduct	<del>Suspension for Two Years</del>
10	05-11-634	Abuse of Students Misrepresentation or Falsification Professional Conduct	Revocation

#	CASE NUMBER	STANDARDS VIOLATED	RECOMMENDATION
11	05-12-715	Abuse of Students Criminal Acts Professional Conduct	Suspension for One Year
12	06-2-928	Abuse of Students Criminal Acts Professional Conduct	Revocation
13	06-2-931	Abuse of Students Criminal Acts Professional Conduct	Suspension for One Year
14	06-2-934	Abuse of Students Criminal Acts Professional Conduct	Revocation
15	06-2-886	Alcohol or Drugs Professional Conduct	Suspension for 20 Days
16	06-2-925	Alcohol or Drugs Professional Conduct	Suspension for One Year
17	06-3-971	Alcohol or Drugs Professional Conduct	Suspension for One Year
18	05-11-541	Misrepresentation or Falsification Professional Conduct	No Probable Cause
19	05-11-636	Misrepresentation or Falsification Criminal Acts Professional Conduct	Warning
20	06-2-890	Misrepresentation or Falsification Criminal Acts Failure to Make a Required Report Professional Conduct	Reprimand
21	06-2-904	Misrepresentation or Falsification Criminal Acts Failure to Make a Required Report Professional Conduct	Warning
22	06-2-910	Misrepresentation or Falsification Professional Conduct	Suspension for 20 Days
23	06-2-919	Misrepresentation or Falsification Professional Conduct	No Probable Cause
24	06-2-920	Misrepresentation or Falsification Criminal Acts Professional Conduct	Suspension for 10 Days
25	06-2-923	Misrepresentation or Falsification Professional Conduct	No Probable Cause
26	06-3-1051	Misrepresentation or Falsification Professional Conduct	No Probable Cause
27	06-1-780	Public Funds and Property Professional Conduct	Suspension for 20 Days
28	06-2-885	Public Funds and Property Professional Conduct	Reprimand
29	06-2-909	Public Funds and Property	No Probable Cause

#	CASE NUMBER	STANDARDS VIOLATED	RECOMMENDATION
		Professional Conduct	
30	06-2-922	Public Funds and Property Professional Conduct	Suspension for 90 Days
31	06-2-924	Public Funds and Property Improper Remunerative Conduct Professional Conduct	No Probable Cause
32		Improper Remunerative Conduct Professional Conduct	Suspension for 10 Days
33	05-8-270	Abandonment of Contract Professional Conduct	Suspension for 90 Days
34	05-10-494	Abandonment of Contract Professional Conduct	Suspension for 90 Days
35	06-2-887	Abandonment of Contract Professional Conduct	Suspension for 90 Days
36	06-2-913	Abandonment of Contract Professional Conduct	Suspension for 90 Days
37	06-2-914	Abandonment of Contract Professional Conduct	No Probable Cause
38	05-8-202	Professional Conduct	Suspension for 5 Days
39	05-10-513	Professional Conduct	No Probable Cause
40	05-11-578	Professional Conduct	Suspension for 5 Days
41	05-12-721	Professional Conduct Misrepresentation or Falsification	No Probable Cause
42	05-12-745	Professional Conduct Misrepresentation or Falsification	No Probable Cause
43	05-12-751	Professional Conduct	Suspension for 10 Days
44	06-2-879	Professional Conduct	Reprimand
45	06-2-883	Professional Conduct	Suspension for 5 Days
46	06-2-915	Professional Conduct	Reprimand
47	06-2-921	Professional Conduct	No Probable Cause
48	06-3-973	Professional Conduc	Suspension for 20 Days
49	06-3-974	Professional Conduct	Warning

**PSC ACTION:** Approved

**Case # 05-6-1887**

**MOTION:** (Denty / Wilkes) To amend the EERC recommendation from a Suspension for 2 Years to a Revocation.

**PSC ACTION:** Approved

Opposed: Lee Muns, Stephen Dartt, Dr. Mary Outlaw

2. Ms. Miller reported that the Educator Ethics Review Committee reviewed 7 *Initial Decisions* and brought the following recommendations on behalf of the Committee:

#	CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	ADMINISTRATIVE LAW JUDGE SANCTION
1	04-3-1200	Criminal Acts Abuse of Students Professional Conduct	Revocation	Revocation
2	04-5-1571	Criminal Acts Abuse of Students Public Funds and Property Professional Conduct	Revocation	Revocation
3	04-8-218	Misrepresentation or Falsification Professional Conduct	Suspension for One Year	Suspension for One Year
4	04-8-221	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	Revocation	Revocation
5	05-7-142	Criminal Acts Professional Conduct	Revocation	Revocation
6	04-12-788	Professional Conduct	Suspension for Three Months	Suspension for Three Months
7	04-3-1270	Criminal Acts Alcohol or Drugs Professional Conduct	Suspension for Two Years	Suspension for Two Years

**PSC ACTION:** Approved

3. Ms. Miller reported that the Educator Ethics Review Committee reviewed 4 *Petitions Issues* and brought the following recommendations on behalf of the Committee:

#	CASE NUMBER	REQUEST	PREVIOUS SANCTION	PREVIOUS VIOLATION	RECOMM
1	06-2-932	Right to Reapply	Denied - 1/9/03 Denied Right to Reapply - 3/10/05	Abandonment of Contract	Grant
2	05-8-242	Early Reinstatement	Current Suspension - 11/25/05 - 11/25/06	Public Funds and Property Professional Conduct	Deny
3	05-6-1929	Right to File Petition Earlier than Two Years	Revoked - 8/10/00 Denied Right to Reapply - 9/8/05	Alcohol or Drugs	Grant - Early & Right to Reapply
4	03-4-2024	Early Reinstatement	Current Suspension - 2/27/04 - 2/27/07	Misrepresentation or Falsification Professional Conduct	Deny

**PSC ACTION:** Approved

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

#	CASE NUMBER	SANCTION	RECOMMENDATION	PSC ACTION
1	05-12-684	Reprimand	1, 4 & 10	Accept
2	05-12-702	Reprimand	1, 10	Accept
3	05-12-717	Suspension for 10 Contract Days May 12, 2006 – May 25, 2006	5, 10	Accept
4	05-12-729	Reprimand	10	Accept
5	05-12-758	Warning	2, 10	Accept
6	06-1-831	Reprimand	5, 10	Accept
7	06-2-946	Reprimand	1, 10 & Action – Other State	Accept

**PSC ACTION:** Approved

5. Ms. Miller reported that the Educator Ethics Review Committee reviewed 12 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee:

#	CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION
1	05-2-1196	Abandonment of Contract Professional Conduct	Suspension for Six Months	No Probable Cause
2	04-9-363	Criminal Acts Abuse of Students Professional Conduct	Revocation	Revocation
3	05-5-1710	Misrepresentation or Falsification Professional Conduct	Suspension for Three Months	Reprimand
4	05-3-1475	Criminal Acts Professional Conduct	Suspension for One Month	Reprimand
5	04-2-1155	Criminal Acts Professional Conduct	Revocation	No Probable Cause
6	05-5-1709	Abuse of Students Professional Conduct	Suspension - 20 Contract Days	Suspension - 20 Contract Days (Aug. 7, 2006 - Sept. 1, 2006)
7	05-8-198	Criminal Acts Professional Conduct	Revocation	No Probable Cause
8	04-7-123	Misrepresentation or Falsification Professional Conduct	Suspension for One Month	Suspension for One Month (May 26, 2006 - June 26, 2006)
9	05-4-1538	Abuse of Students Professional Conduct	Reprimand	Warning
10	05-10-509	Abandonment of Contract Professional Conduct	Suspension - 90 Contract Days	No Probable Cause
11	05-1-976	Criminal Acts Abuse of Students Professional Conduct	Suspension for One Week	Reprimand
12	04-8-184	Public Funds and Property Improper Remunerative Conduct Professional Conduct	Suspension for Two Years	Suspension for Two Years

**PSC ACTION:** Approved

6. Ms. Miller reported that the Educator Ethics Review Committee reviewed 1 *Voluntary Surrender/Voluntary Denial* and brought the following recommendation on behalf of the Committee:

CASE NUMBER	SANCTION	STANDARDS VIOLATED	RECOMMENDATION
06-2-930	Revocation	Criminal Acts Abuse of Students 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 April 2006 and May 2006

**PSC ACTION:** Approved

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

The Educator Ethics Review Committee recommended approval of the 15 Extensions - Preliminary Investigative Determinations consisting of the following:

CASE #	CASE #	CASE #	CASE #
06-4-1145	06-4-1149	06-4-1153	06-4-1168
06-4-1146	06-4-1150	06-4-1154	06-4-1169
06-4-1147	06-4-1151	06-4-1155	06-4-1170
06-4-1148	06-4-1152	06-4-1167	

**PSC ACTION:** Approved

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

The Educator Ethics Review Committee recommended granting and *Investigative Extension* to the following 20 cases:

##### **APPLICATION CASES**

CASE #	CASE #
06-1-776	06-3-1082
06-3-952	06-3-1084
06-3-957	06-3-1087
06-3-958	06-3-1091
06-3-1027	06-3-1093
06-3-1031	06-3-1099
06-3-1050	06-3-1112
06-3-1052	03-3-1113
06-3-1079	06-3-1120
06-3-1081	06-3-1121

**WRITTEN COMPLAINTS**

<b>CASE #</b>	<b>CASE #</b>
06-1-769	05-11-587
06-2-929	05-12-722
06-2-933	05-12-724
05-11-593	06-1-805
05-11-648	06-2-877
05-11-652	06-2-880
05-9-335	06-3-970
05-10-436	06-3-972
05-10-515	06-3-975

**PSC ACTION:** Approved

**10. APPLICATIONS FOR CERTIFICATION REPORT**

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 17 cases reflected on the *Applications for Certification Report*.

**PSC ACTION:** Approved

**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.

**PSC ACTION:** Approved

**12. STUDENT LOAN SUSPENSION / REINSTATEMENTS**

The Commission reviewed the report, which indicated that there were 11 certificates suspended from April 13, 2006 through May 11, 2006. There were 7 certificates that had been reinstated because restitution is now being made on those student loans. There were 4 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 6 cases closed without an appeal for a review hearing before the Commission.

**VII. REVIEW HEARINGS**

- 1. Sebrina Sims - Educator (Case # 04-7-90)
- Wayne Magnum - Hearing Officer
- Penney Hannah - PSC Attorney
- Sebrina Sims represented herself



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

**ACTION:** Approved

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

**ACTION:** Approved

**MOTION:** (Muns / Miller) To adopt the Findings of Fact and Conclusions of Law reached by the Administrative Law Judge. The Decision of the Administrative Law Judge to sanction the educator was adopted and incorporated by reference herein. The Commission hereby rejected the sanction recommended by the Administrative Law Judge. Based on a review of the record, the Commission concluded that a lesser sanction was appropriate in this particular case. The Commission hereby ordered that the Georgia educator certificate held by Sebrina Sims be Suspended for a period of six months effective May 26, 2006 and shall conclude on November 26, 2006.

**PSC ACTION:** Approved

Abstention: Carolyn Hart

2. Sharman White	- Educator (Case #04-7-89)
Wayne Magnum	- Hearing Officer
Rebecca Mick	- PSC Attorney
James Hunter	- Attorney

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

**ACTION:** Approved

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

**ACTION:** Approved

**MOTION:** (Greenway / Miller) 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 hereby ordered that the Georgia educator certificate held by Sharman White be Suspended for a period of one year to become effective May 26, 2006 and conclude on May 26, 2007.

**PSC ACTION:** Approved

Abstention : Carolyn Hart

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

The Executive Secretary presented the following:

**A.** Linda Holloman, Education Staff Specialist was introduced to the commission. She is one of the newest members of our staff and she will be handling all testing issues.

#### **B. Initiate Rules**

**MOTION:** (Miller / Robinson) To initiate rulemaking procedures for (1) repealing the current rules in Chapter 505-2 (Certification), (2) amending the current rules in Chapter 505-2 (Certification), (3) adopting rules in Chapter

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505-2 (Certification) and (4) amending the current rules in Chapter 505-3 (Educator Preparation)..

**ACTION:** Approved

C. A letter from Martha Hobbs, a student at Valdosta State University, along with a petition with 68 signatures was received regarding Praxis I. They would like for the Regents' Exam to be taken in lieu of the Praxis I. The difference between the two tests is that the Regents' Exam does not have the Math portion and the Praxis I does.

**MOTION:** (Outlaw / Denty) To deny the request to allow the Regents' Exam to be taken in lieu of the Praxis I.

**ACTION:** Approved

D. Valdosta State University Career Day was held on Tuesday, April 25<sup>th</sup>. The PSC was represented by Robert Maxson and Dr. Toth. Chair Terri Deloach attended in her capacity as a Principal of Pierce County Middle School. There appeared to be a decrease from previous years in the number of students with secondary education majors. Concerns were brought up regarding the Board of Regents requirement that secondary education majors complete a major in a content area and then complete the teacher education program requirements during a 5<sup>th</sup> year.

**MOTION:** (Muns / Gomez) For Dr. Toth to draft a letter to the Board of Regents expressing the commission's concern regarding the lack of secondary educators and lack of minority educators entering the teaching field. The commission would also like for a representative from the Board of Regents to address the commission at our June 8, 2006, commission meeting.

**ACTION:** Approved

E. The Georgia Master Teacher Certification Program brochures were given to all commissioners.

## **IX. CHAIR REPORT**

Chair Deloach congratulated Dr. Toth and all the commissioners on our new boardroom. She also announced that the next commission meeting will be held on Thursday, June 8, 2006.

## **X. ADJOURNMENT**

Terri Deloach called for the meeting to be adjourned at 11:05 a.m.

**PSC ACTION:** Approved