

MINUTES

PROFESSIONAL STANDARDS COMMISSION
2 Peachtree Street
5th Floor, PSC Boardroom
Atlanta, Georgia
May 10, 2007

The Georgia Professional Standards Commission (PSC) met on Thursday, May 10, 2007, at 9 a.m.

Members Present

Maria Bradley	Pamela Greenway	Jeannie Tucker
Sallie Bullock	Maria Miller	Hester Vasconcelos
Stephen Dartt	Dr. Mary Outlaw	Dr. Wanda West
Jean Ebron	Rose Powell	Dr. Debbie Wilkes
Mary Gomez	Dr. Holly Robinson	

Members Absent

Gary Bechtel	Dr. Craig Smith
Lee Muns	Dr. Louisa Moffitt

I. CALL TO ORDER

Chair Wilkes 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

Chair Wilkes recognized the visitors.

- Margaret Elliott, Professional Association of Georgia Educators
- Gayle Wooten, Professional Association of Georgia Educators
- Andy Matthews, Georgia Association of School Personnel Administrators
- Stephan Beasley
- John Hooper, Georgia School Superintendents Association
- Anna Burns, Griffin-Spalding County School System
- Fran Swaki, Lincoln Memorial University
- Helene Cole, Lincoln Memorial university

III. ADOPTION OF AGENDA

Chair Wilkes called for approval of the agenda.

MOTION: (Miller / Bradley) To approve agenda.

PSC ACTION: Approved

IV. APPROVAL OF MINUTES

Chair Wilkes called for approval of the minutes from the April 12, 2007, Commission meeting.

PSC ACTION: Approved

V. 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 52 **Probable Cause** cases during its May 9, 2007, meeting and brought the following recommendations on behalf of the Committee:

#	CASE #	STANDARDS VIOLATED	RECOMMENDATION
1	06-10-334	Misrepresentation or Falsification Professional Conduct	Denial
2	06-11-486	Other Cause - Other State SP/A License Reprimand	No Probable Cause
3	06-11-545	Criminal Acts	Extend Probable Cause Determination Pending Outcome of Criminal Case
4	06-12-655	Criminal Acts	Denial
5	07-1-722	Criminal Acts Failure to Make a Required Report	Suspension for 20 Contract Days
6	07-1-784	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct Action Taken In Another State	Suspension for 90 Contract Days
7	07-1-788	Criminal Acts	Warning
8	07-1-804	Other Cause - GREC Professional License Suspension	No Probable Cause
9	07-1-806	Criminal Acts Professional Conduct	Suspension for One Year
10	07-1-809	Criminal Acts	Reprimand
11	07-1-810	Criminal Acts	Reprimand
12	07-1-812	Criminal Acts Failure to Make a Required Report Professional Conduct	Revocation
13	07-1-821	Criminal Acts	Reprimand
14	07-1-835	Criminal Acts Misrepresentation or Falsification	Reprimand

#	CASE #	STANDARDS VIOLATED	RECOMMENDATION
15	07-2-913	Criminal Acts	Reprimand
16	07-3-1039	Abuse of Students Professional Conduct	Denial
17	07-3-1067	Criminal Acts	Reprimand
18	07-3-1070	Criminal Acts	Reprimand
19	06-8-180	Misrepresentation or Falsification Professional Conduct	Revocation
20	06-8-193	Professional Conduct	Suspension for 5 Contract Days
21	06-9-209	Misrepresentation or Falsification	Suspension for 90 Contract Days
22	06-9-312	Criminal Acts Public Funds and Property Improper Remunerative Conduct Professional Conduct	Suspension for One Year
23	06-10-323	Abandonment of Contract	Suspension for 90 Contract Days
24	06-10-379	Abuse of Students Professional Conduct	Suspension for 20 Contract Days
25	06-10-405	Misrepresentation or Falsification	Suspension for One Year
26	06-11-494	Professional Conduct	Reprimand
27	06-11-496	Public Funds and Property Professional Conduct	No Probable Cause
28	06-12-630	Abuse of Students Professional Conduct	Suspension for One Year
29	06-12-661	Professional Conduct	Revocation
30	07-1-677	Misrepresentation or Falsification Professional Conduct	Suspension for 90 Contract Days
31	07-1-687	Misrepresentation or Falsification	No Probable Cause
32	07-1-718	Misrepresentation or Falsification Professional Conduct	Suspension for One Year
33	07-1-748	Public Funds and Property Professional Conduct	Suspension for One Year
34	07-1-750	Professional Conduct	Suspension for 5 Contract Days
35	07-2-752	No Violations	No Probable Cause
36	07-2-847	Abuse of Students Professional Conduct	Revocation
37	07-2-898	Abuse of Students Professional Conduct	Reprimand
38	07-2-899	Alcohol or Drugs Professional Conduct	Suspension for One Year
39	07-2-905	Alcohol or Drugs	Suspension for One Year
40	07-2-910	Alcohol or Drugs Professional Conduct	Revocation
41	07-2-911	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	Extend Probable Cause Determination Pending Outcome of Criminal Case
42	07-2-922	Professional Conduct	Reprimand
43	07-2-944	Misrepresentation or Falsification Professional Conduct	No Probable Cause
44	07-2-955	Abuse of Students Professional Conduct	Suspension for One Year

#	CASE #	STANDARDS VIOLATED	RECOMMENDATION
45	07-2-970	Misrepresentation or Falsification Professional Conduct	Suspension for 5 Contract Days
46	07-2-973	Abuse of Students Professional Conduct	Reprimand
47	07-2-975	Public Funds and Property	Suspension for 90 Contract Days
48	07-2-982	Abuse of Students Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct Action Taken In Another State	Revocation
49	07-2-988	Misrepresentation or Falsification	Suspension for 5 Contract Days
50	07-2-992	Misrepresentation or Falsification Public Funds and Property Professional Conduct	Suspension for One Year
51	07-2-995	Criminal Acts Failure to Make a Required Report Professional Conduct	Revocation
52	07-3-1035	Criminal Acts Misrepresentation and Falsification	Reprimand

PSC ACTION: Approved

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

CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	ADMINISTRATIVE LAW JUDGE SANCTION	RECOMM.
05-8-258	Criminal Acts Professional Conduct	Denial	Reprimand	Accept
06-3-1048	Abuse of Students Professional Conduct	Suspension - 2 Years	Suspension - 2 Years	Accept
06-4-1186	Misrepresentation or Falsification Professional Conduct	Revocation	Revocation	Accept

PSC ACTION: Approved

3. 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
07-3-1029	Right to Reapply	Revocation: 06/14/84	Misrepresentation or Falsification Professional Conduct	Grant

PSC ACTION: Approved

4. Ms. Miller reported that the Educator Ethics Review Committee reviewed 14 *Settlement Agreements* and brought the following recommendations on behalf of the Committee:

#	CASE NUMBER	SANCTION	RECOMMENDATION
1	06-5-1229	Suspension - 5 Contract Days	Accept
2	06-8-201	Suspension - 20 Contract Days	Accept
3	06-10-367	Suspension - 20 Contract Days	Accept
4	06-11-506	Suspension - 16 Contract Days	Accept
5	06-11-526	Reprimand	Accept
6	06-11-538	Reprimand	Accept
7	07-1-678	Reprimand	Accept
8	07-1-711	Reprimand	Accept
9	07-1-729	Reprimand	Accept
10	07-1-733	Reprimand	Accept
11	07-1-756	Reprimand	Accept
12	07-1-763	Reprimand	Accept
13	07-1-794	Reprimand	Accept
14	07-1-834	Suspension - 30 Contract Days	Accept

PSC ACTION: Approved

5. Ms. Miller reported that the Educator Ethics Review Committee reviewed 17 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee:

CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION	RECOMM.
04-2-1181	Professional Conduct	Suspension - One Year	Suspension - 30 Contract Days	Accept
04-5-1564	Misrepresentation or Falsification Professional Conduct	Suspension - Three Months	Suspension - One Month	Accept
04-5-1582	Alcohol or Drugs	Suspension - One Year	Suspension - Six Months	Accept
04-7-11	Professional Conduct	Reprimand	No Probable Cause	Accept
05-1-999	Criminal Acts Professional Conduct	Suspension - One Year	No Probable Cause	REJECT
05-1-1028	Criminal Acts Professional Conduct	Suspension - One Year	Suspension - One Year	Accept
05-1-1108	Criminal Acts Misrepresentation or Falsification Professional Conduct	Suspension - Three Years	Reprimand	Accept

CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION	RECOMM.
05-2-1199	Public Funds and Property Professional Conduct	Suspension - One Year	Suspension - One Year	Accept
05-3-1409	Criminal Acts Misrepresentation or Falsification Professional Conduct	Revocation	Suspension - Nine Months	Accept
05-5-1700	Public Funds and Property Professional Conduct	Suspension - 90 Contract Days	Suspension - 90 Contract Days	REJECT
05-6-1752	Misrepresentation or Falsification Public Funds and Property Professional Conduct	Revocation	Suspension - One Year	Accept
05-11-634	Abuse of Students Misrepresentation or Falsification Professional Conduct	Revocation	Revocation	Accept
06-1-846	Criminal Acts Professional Conduct	Denial	Reprimand	Accept
06-3-970	Professional Conduct	Suspension - One Year	Suspension - Six Months	REJECT
06-3-1007	Misrepresentation or Falsification Public Funds and Property Professional Conduct	Revocation	Suspension - 45 Contract Days	Accept
06-6-1378	Misrepresentation or Falsification Professional Conduct	Suspension - 90 Contract Days	Suspension - 25 Contract Days	REJECT
06-11-441	Professional Conduct	Suspension - 5 Contract Days	Reprimand	Accept

PSC ACTION: Approved

Abstention: Maria Bradley – case # 05-5-1700

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

CASE NUMBER	SANCTION	STANDARDS VIOLATED	RECOMM.
06-12-647	Revocation	Criminal Acts Abuse of Students Professional Conduct	Accept
07-2-938	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 58 new complaints received during the months of April and May 2007.

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 cases: 07-4-1149, 17-4-1150, 07-4-1151, 07-4-1152, 07-4-1153, 07-4-1154 and 07-4-1155

PSC ACTION: Approved

9. **EXTENSIONS - INVESTIGATIONS**

The Educator Ethics Review Committee recommended granting an *Investigative Extension* to the following 39 Written Complaints and 19 Application cases:

WRITTEN COMPLAINT EXTENSIONS:

06-5-1243	07-2-902	07-1-849	07-1-836
06-11-447	07-2-935	07-2-971	07-1-844
06-11-448	07-2-953	07-2-993	07-2-900
06-8-203	07-2-954	06-10-415	07-2-904
07-1-860	06-11-510	06-11-500	07-2-918
07-2-923	06-11-542	06-11-505	07-2-934
07-2-933	07-1-706	07-1-679	07-2-976
07-2-943	07-1-754	07-1-683	07-2-981
07-2-972	07-1-837	07-1-727	07-2-994
07-2-979	07-1-838	07-1-749	

APPLICATION CASE EXTENSIONS:

07-1-737	07-2-984	07-3-1071
07-1-746	07-2-985	07-3-1094
07-1-797	07-2-986	07-3-1096
07-1-814	07-3-1060	
07-1-816	07-3-1061	
07-1-817	07-3-1062	
07-1-824	07-3-1065	
07-2-983	07-3-1069	

PSC ACTION: Approved

10. **APPLICATIONS FOR CERTIFICATION REPORT**

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 34 cases reflected on the *Applications for Certification Report*.

PSC ACTION: Approved

11. **REVIEW HEARING EXTENSIONS**

The Commission reviewed the *Review Hearing Extensions Report* concerning 4 hearing cases. An

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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 13 certificates suspended from April 12, 2007 through May 10, 2007. There were 7 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.

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 3 cases closed without an appeal for a review hearing before the Commission.

VI. **REVIEW HEARINGS**

1. Stephan Beasley - Educator (Case #05-6-1761)
Wayne Magnum - Hearing Officer
Rebecca Mick - PSC Attorney

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

ACTION: Approved

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

ACTION: Approved

MOTION: (Vasconcelos / 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 application for a Georgia educator certificate be granted to Stephan Beasley with a Reprimand effective May 10, 2007. The Commission also required Stephan Beasley to submit reports regarding the status of the investigation by the State of California every three months until the investigation is closed.

PSC ACTION: Approved

Opposed: Holly Robinson, Pamela Greenway

2. Michael Lewis (not present) - Educator (Case #05-2-1287)
Wayne Magnum - Hearing Officer
Rebecca Mick - PSC Attorney
Howard Stiller (not present) - Educator's Attorney

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For the record the Green card (Certified Mail Receipt) was signed for on April 19, 2007 and the Professional Standards Commission received this card on April 27, 2007. This card notifies the party of the hearing date and time.

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

ACTION: Approved

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

ACTION: Approved

MOTION: (Miller / Greenway) 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 Michael Lewis be Revoked effective May 10, 2007.

PSC ACTION: Approved

VII. EXECUTIVE SECRETARY REPORT

A. Dr. Toth spoke briefly about The Quarterly Report (January 2007 to March 2007) for the Georgia Assessments for the Certification of Educators (GACE) and a copy was given to the commissioners.

B. Dr. Toth spoke briefly about The Georgia Department of Audits and Accounts Performance Audit Operations for the Professional Standards Commission and a copy was given to the commissioners as well as our Performance Data compiled by Dr. Gary Walker.

C. Dr. Toth presented a letter sent to the Professional Standards Commission from Kelly Tabb, Southwest Georgia RESA Interim Director thanking the PSC for a presentation given to them.

D. Penny Hannah gave a brief update on the Charles Williams case.

E. Dr. Toth spoke briefly about National Center for Children in Poverty presentation titled "Promoting Effective Early Learning, What Every Policymaker and Educator Should Know" and a copy was given to the commissioners.

F. The commissioners were given the SREB "Making the Grade" pamphlet.

G. The commissioners were given a copy of the Honorable Zeb Miller's response to our invitation to speak at the April 12, 2007, commission meeting held at the Brasstown Valley Resort.

VIII. EXECUTIVE SECRETARY REPORT

A. Dr. Wilkes spoke about the Joint Liaison Board meeting.

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- B. Dr. Mary Outlaw expressed concern about the placement of pages in the Review Hearing. Stephen Dartt was concerned that the Review Hearings are on Adobe format, which does not allow for note taking. Dr. Walker said that the case hearing reports will be on Word. The commission also requested that we go back to the original way that we posted the Probable Cause cases. Dr. Walker said that the PSC will begin work on this transition.
- C. Dr. Wilkes announced that the next commission meeting will be held on Thursday, June 14, 2007 in Atlanta.

IX. ADJOURNMENT

Chair Wilkes called for the meeting to be adjourned at 10:47 a.m.

PSC ACTION: Approved