

MINUTES

PROFESSIONAL STANDARDS COMMISSION

Two Peachtree Street

Atlanta, Georgia

November 10, 2010

The Georgia Professional Standards Commission (PSC) met on Thursday, November 10, 2010, at 12:30 p.m.

Members Present

Julia Bernath
Marci Cawthon
Alice Clements
Penny Elkins
Dr. Adrian Epps
Meredith Hodges

David Johnson
Stephanie Leggett
Andre Mountain
Rose Powell
Dr. Ed Smith

Jeannie Tucker
Dr. Hester Vasconcelos
Dab Weber
Dr. Debbie Wilkes
Valerie Williams

Members Absent

Pam Walker

Bill Haskin

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: (Elkins / Epps) To approve the agenda.

PSC ACTION: Approved

III. APPROVAL OF MINUTES

Chair Wilkes called for approval of the minutes from the October 14, 2010, 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
- Dr. Ron Swanson, Argosy University – Atlanta
- Dr. Murray Bradfield, Argosy University - Atlanta
- Cindi Chance, Georgia Association of Colleges for Teacher Education
- John Hooper, Georgia School Superintendents Association (GSSA)
- Tonysha Johnson
- Suzanne uness

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.

1. Ms. Powell reported that the Committee reviewed 32 *Probable Cause* cases during its November 10, 2010, meeting and brought the following recommendations on behalf of the Committee:

#	CASE #	Applicant	STANDARDS VIOLATED	RECOMMENDATION
1	10-6-1237	Applicant	Criminal Acts	Reprimand
2	10-8-183	Applicant	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	Deny
3	10-2-894	Property Rights	Criminal Acts Abuse of Students Professional Conducts	Suspension - 2 Years
4	10-4-1027	Property Rights	Abuse of Students Professional Conduct	Suspension - 5 Contract Days
5	10-5-1140	Property Rights	Abuse of Students Professional Conduct	Suspension - 1 Year
6	10-5-1220	Property Rights	Criminal Acts Abuse of Students Misrepresentation or Falsification Public Funds and Property Professional Conduct	Revocation
7	10-6-1261	Property Rights	Abuse of Students Professional Conduct	Suspension - 5 Contract Days
8	10-6-1271	Property Rights	Abuse of Students Professional Conduct	Suspension - 10 Contract Days
9	10-6-1275	Property Rights	Abuse of Students Professional Conduct	Reprimand
10	10-6-1302	Property Rights	Abuse of Students Professional Conduct	Suspension - 5 Contract Days
11	10-6-1304	Property Rights	Professional Conduct Testing	Suspension - 20 Contract Days
12	10-6-1377	Property Rights	Misrepresentation or Falsification Professional Conduct	Suspension - 90 Contract Days

#	CASE #	Applicant	STANDARDS VIOLATED	RECOMMENDATION
13	10-6-1385	Property Rights	Misrepresentation or Falsification Professional Conduct	Suspension - 90 Contract Days
14	10-6-1389	Property Rights	Confidential Information Professional Conduct Testing	Suspension - 1 Year
15	10-6-1393	Property Rights	Professional Conduct	Suspension - 1 Year
16	10-6-1404	Property Rights	Public Funds and Property Professional Conduct	Suspension - 90 Contract Days
17	10-6-1405	Property Rights	Professional Conduct	Suspension - 20 Contract Days
18	10-7-24	Property Rights	Abuse of Students Professional Conduct	Suspension - 10 Contract Days
19	10-7-28	Property Rights	Abuse of Students Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	Suspension - 20 Contract Days
20	10-7-44	Property Rights	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	Revocation
21	10-7-50	Property Rights	Abuse of Students Professional Conduct	Suspension - 5 Contract Days
22	10-7-86	Property Rights	Criminal Rights Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct Action Against Out-of-State Certificate	Suspension - 1 Year
23	10-8-114	Property Rights	Misrepresentation or Falsification Public Funds and Property Professional Conduct	Suspension - 90 Contract Days
24	10-8-115	Property Rights	Misrepresentation or Falsification Professional Conduct	No Probable Cause
25	10-8-126	Property Rights	Professional Conduct Testing	Suspension - 1 Year
26	10-8-138	Property Rights	Misrepresentation or Falsification Public Funds and Property Professional Conduct	Suspension - 90 Contract Days
27	10-8-139	Property Rights	Abuse of Students Professional Conduct	Revocation
28	10-8-140	Property Rights	Public Funds and Property Professional Conduct	Suspension - 90 Contract Days
29	10-8-169	Property Rights	Misrepresentation or Falsification Public Funds and Property Professional Conduct	Suspension - 1 Year
30	10-8-202	Property Rights	Professional Conduct	No Probable Cause
31	10-8-203	Property Rights	Professional Conduct	No Probable Cause
32	10-9-278	Property Rights	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	Suspension - 1 Year

2. Ms. Powell reported that the Educator Ethics Review Committee reviewed 4 *Initial Decisions* and brought the following recommendations on behalf of the Committee:

CASE #	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	ADMINISTRATIVE LAW JUDGE SANCTION	RECOMMENDATION
06-3-1104	Criminal Acts Abuse of Students Professional Conduct	Revocation	Revocation	Accept
07-10-345	Abandonment of Contract Professional Conduct	Suspension – 90 Contract Days	Suspension – 90 Contract Days	Accept
09-9-332	Abuse of Students Professional Conduct	Suspension – 90 Contract Days	Suspension – 90 Contract Days	Accept
09-9-333	Abuse of Students Professional Conduct	Suspension – 90 Contract Days	Suspension – 90 Contract Days	Accept

3. Ms. Powell reported that the Educator Ethics Review Committee reviewed 5 *Petitions Issues* and brought the following recommendations on behalf of the Committee:

CASE NUMBER	REQUEST	PREVIOUS SANCTION	RECOMMENDATION
10-7-45	Right to Reapply	Denied: 2007	GRANT
10-7-46	Right to Reapply	Revocation: 2007	DENY
10-8-137	Right to Reapply	Revocation: 2007	DENY
10-8-142	Right to Reapply	Revocation: 2007	DENY
10-8-204	Right to Reapply	Revocation: 2006	DENY

4. Ms. Powell reported that the Educator Ethics Review Committee reviewed 10 *Settlement Agreements* and brought the following recommendations on behalf of the Committee:

#	CASE #	SANCTION	RECOMMENDATION
1	10-1-742	Suspension – 90 Contract Days (Nov. 29, 2010 – April 26, 2011)	Accept
2	10-3-991	Suspension – One Year (Nov. 29, 2010 – Nov. 29, 2011)	Accept
3	10-5-1208	Suspension – 90 Contract Days (Nov. 29, 2010 – May 3, 2011)	Accept
4	10-5-12-18	Suspension – 5 Contract Days (Retroactive) (May 17, 2010 – May 21, 2010)	Accept
5	10-6-1260	Suspension – 20 Contract Days (Nov. 29, 2010 – Jan. 10, 2011)	Accept
6	10-7-63	Reprimand	Accept

#	CASE #	SANCTION	RECOMMENDATION
7	10-7-64	Suspension – 5 Contract Days (Nov. 29, 2010 – Dec. 3, 2010)	Accept
8	10-7-78	Suspension – 5 Contract Days (Nov. 29, 2010 – Dec. 3, 2010)	Accept
9	10-7-97	Reprimand	Accept
10	10-9-255	Reprimand	Accept

5. Ms. Powell reported that the Educator Ethics Review Committee reviewed 11 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee:

#	CASE #	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION	RECOMMENDATION
1.	07-11-395	Suspension – 1 Year	No Probable Cause	Accept
2.	09-1-735	Revocation	Suspension – 2 Years (Nov. 29, 2010 – Nov. 29, 2012)	Accept
3.	09-6-1396	Suspension – 20 Days	Suspension – 10 Contract Days (Retroactive) 9/28, 9/29, 9/30, 11/23, 11/24 12/17, 12/18, 1/14, 1/15, 3/09	Accept
4.	09-7-49	Suspension – 1 Year	No Probable Cause	REJECT
5.	09-7-50	Suspension – 1 Year	No Probable Cause	REJECT
6.	09-9-301	Suspension – 1 Year	Suspension – 10 Contract Days Nov. 29, 2010 – Dec. 10, 2010)	REJECT

7.	09-9-336	Suspension – 1 Year	Suspension – 120 Contract Days (Retroactive) Feb. 1, 2010 – Oct. 4, 2010	Accept
8.	09-12-672	Suspension – 5 Contract Days	Suspension – 2 Contract Days (Nov. 29, 2010 – Nov. 30, 2010)	Accept
9.	10-1-686	Suspension – 1 Year	Suspension – 1 Year (Retroactive) Nov. 30, 2009 – Nov. 29, 2010	Accept
10. & 11.	10-2-880 & 10-6-1254	1- Suspension - 20 Contract Days 2- Suspension - 20 Contract Days	Suspension – 10 Contract Days (Nov. 29, 2010 – Dec. 10, 2010)	Accept

6. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 75 new complaints received during the months of October 2010 and November 2010.

7. EXTENSIONS - INVESTIGATIONS

The Educator Ethics Review Committee recommended granting and *Investigative Extension* to the following 83 Written Complaints and 5 Application Cases:

WRITTEN COMPLAINT EXTENSIONS

09-8-200	10-6-1277	10-6-1309	10-6-1419	10-7-35	10-8-141	10-8-171	10-8-186	10-8-199
10-2-846	10-6-1278	10-6-1314	10-7-54	10-7-38	10-8-147	10-8-172	10-8-187	10-8-200
10-4-1101	10-6-1286	10-6-1383	10-7-57	10-7-41	10-8-148	10-8-173	10-8-188	10-8-201
10-4-1105	10-6-1292	10-6-1384	10-7-19	10-7-42	10-8-149	10-8-174	10-8-192	
10-5-1139	10-6-1293	10-6-1388	10-7-20	10-8-116	10-8-150	10-8-175	10-8-193	
10-5-1200	10-6-1299	10-6-1397	10-7-21	10-8-117	10-8-151	10-8-176	10-8-194	
10-5-1209	10-6-1305	10-6-1398	10-7-23	10-8-122	10-8-157	10-8-177	10-8-195	
10-5-1229	10-6-1306	10-6-1403	10-7-25	10-8-124	10-8-158	10-8-178	10-8-196	
10-6-1255	10-6-1307	10-6-1413	10-7-33	10-8-132	10-8-159	10-8-180	10-8-197	
10-6-1272	10-6-1308	10-6-1418	10-7-34	10-8-136	10-8-168	10-8-184	10-8-198	

APPLICATION CASE EXTENSIONS

10-9-248
10-9-251
10-9-254
10-9-271
10-9-277

8. EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS

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

#	CASE #	Complaint Received	#	CASE #	Complaint Received	#	CASE #	Complaint Received
1	10-10-349	Oct. 1, 2010	11	10-10-359	Oct. 5, 2010	21	10-10-373	Oct. 7, 2010
2	10-10-350	Oct. 1, 2010	12	10-10-360	Oct. 5, 2010	22	10-10-374	Oct. 8, 2010
3	10-10-351	Oct. 1, 2010	13	10-10-361	Oct. 5, 2010	23	10-10-375	Oct. 10, 2010
4	10-10-352	Oct. 1, 2010	14	10-10-362	Oct. 6, 2010			
5	10-10-353	Oct. 1, 2010	15	10-10-363	Oct. 6, 2010			
6	10-10-354	Oct. 1, 2010	16	10-10-368	Sept. 27, 2010			
7	10-10-355	Oct. 4, 2010	17	10-10-369	Sept. 27, 2010			
8	10-10-356	Oct. 5, 2010	18	10-10-370	Sept. 27, 2010			
9	10-10-357	Oct. 5, 2010	19	10-10-371	Oct. 7, 2010			
10	10-10-358	Oct. 5, 2010	20	10-10-372	Oct. 7, 2010			

9. VOLUNTARY SURRENDER/VOLUNTARY DENIAL

The Educator Ethics Review Committee recommended approval of 4 *Voluntary Surrender/Voluntary Denials* consisting of the following

#	Case Number	STANDARDS VIOLATED	SANCTION	EERC Recomm.
1	10-7-32	Abuse of Students Professional Conduct	Revocation	Accept
2	10-8-160	Abuse of Students Misrepresentation or Falsification Professional Conduct	Revocation	Accept
3	10-8-162	Abuse of Students Professional Conduct	Revocation	Accept
4	10-10-447	Criminal Acts Abuse of Students Professional Conduct	Revocation	Accept

10. APPLICATIONS FOR CERTIFICATION REPORT

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 11 cases reflected on the *Applications for Certification Report*.

11. REVIEW HEARING EXTENSIONS

The Commission reviewed the *Review Hearing Extensions Report* concerning 3 hearing cases. 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 no certificates suspended from September 9, 2010 through October 14, 2010. There were 10 certificates that had been *reinstated* because restitution is now being made on those student loans.

13. FINAL DECISIONS BY OPERATION OF LAW

The Commission reviewed the report, which advised of 10 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.

Chair Wilkes called for approval of the Educator Ethics Review Committee report as presented by Rose Powell excluding Probable Cause Case # 10-5-1140.

PSC ACTION: Approved

Abstention: Dr. Penny Elkins – Case #'s 10-2-880, 10-6-1254 and Stephanie Leggett – Case # 10-2-880, 10-6-1254.

Probable Cause Case # 10-5-1140

MOTION: (Epps / Powell) To accept the EERC recommendation for a 1 Year Suspension.

PSC ACTION: Approved

B. Educator Preparation Standing Committee

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

Professional Education Unit	Approval Recommendations
<p>Brewton-Parker College</p>	<p>STANDARD 2 Recommendation 1: The Committee recommends that the Progress Report submitted August 4, 2010, indicates that progress is satisfactory in addressing the first Standard 2 area for improvement.</p> <p>The Committee recommends that the first Standard 2 area for improvement may be removed for the preparation programs listed below. Early Childhood Education English Education History Education Mathematics Education Middle Grades Education Music Education Science Education</p> <p>Area for Improvement: 1. The unit does not require routine participation of P-12 teachers and administrators in the monitoring and maintenance of the unit’s assessment system.</p> <p>Recommendation 2:</p>

Professional Education Unit	Approval Recommendations
	<p>The Committee recommends that the Progress Report submitted August 4, 2010, is unsatisfactory in addressing the second Standard 2 area for improvement and the area for improvement shall remain for all preparation programs.</p> <p>The Committee recommends that a Progress Report shall be submitted within six months addressing the remaining Standard 2 area for improvement.</p> <p>Area for Improvement: 2. The unit has taken limited steps to establish a routine review of instruments and processes for the elimination of bias in assessments and assurance of accuracy and consistency in its assessment procedures and unit operations.</p> <p style="text-align: center;"><i>(Continued on Page 2)</i></p> <p>STANDARD 5 Recommendation: The Committee recommends that the Progress Report submitted August 4, 2010, indicates that progress is unsatisfactory in addressing the Standard 5 area for improvement.</p> <p>The Committee recommends that a Progress Report shall be submitted within six months addressing the Standard 5 area for improvement and should include a plan to regularly evaluate adjunct faculty.</p> <p>Area for Improvement: The unit does not systematically and regularly evaluate adjunct faculty.</p> <p>STANDARD 6 Recommendation: The Committee recommends that the Progress Report submitted August 4, 2010, indicates that progress is satisfactory in addressing the Standard 6 area for improvement; the area for improvement shall remain.</p> <p>The Committee recommends that a Progress Report shall be submitted within six months addressing the Standard 6 area for improvement. The progress report should indicate the number of work-study students that were hired and what their duties are to assist in support of this area for improvement.</p> <p>Area for Improvement: An inadequate number of support personnel limit faculty effectiveness and candidate progress toward meeting standards.</p> <p>STANDARD 7 Recommendation: The Committee recommends that the Progress Report submitted August 4, 2010,</p>

Professional Education Unit	Approval Recommendations
	<p>indicates that progress is satisfactory in addressing the Standard 7 area for improvement cited for the Music Education program.</p> <p>The Committee recommends that the Standard 7 area for improvement may be removed.</p> <p>Area for Improvement: Candidates enrolled in the Music Education program are not ensured of field experiences at all specified grade levels (PK-K, 1-3, 4-5, 6-8, and 9-12).</p> <p style="text-align: right;"><i>(Continued on Page 3)</i></p>
<p>Augusta State University</p>	<p>The Committee recommends that the area for improvement cited for Standard 1 for advanced preparation programs in the April 24-28, 2004 Board of Examiners Report shall remain.</p>
<p>Fulton County Schools</p>	<p>The Committee recommends tabling the approval decision regarding the Fulton County Schools GaTAPP request to defer the submission of a Progress Report.</p>
<p>Piedmont College</p>	<p>The Committee recommends granting the Program Approval staff request to cancel the Initial Performance Review of six programs scheduled for Piedmont College for spring 2011 and include those programs in the fall 2012 Continuing Review of the unit and all programs.</p>

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

ACTION: Approved

VI. REVIEW HEARING

- | | |
|-------------------|----------------------------|
| 1. Marquis Harris | - Educator Case # 09-2-923 |
| Wayne Magnum | - Hearing Officer |
| Rebecca Mick | - PSC Attorney |

Marquis Harris did not appear before the Commission nor did an attorney on his behalf.

MOTION: (Johnson / Powell) 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 Marquis Harris be Revoked effective November 10, 2010.

ACTION: Approved

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VII. RULES

Rick Eiserman presented the Certification and Educator Preparation rules for adoption.

MOTION: (Elkins / Vasconcelos) 1) To rescind the current rules in Chapter 505-2 Certification, effective December 15, 2010, as follows: 505-2-.300; 2) to initiate the current rules in Chapter 505-2 Certification, effective December 15, 2010, as follows: 505-2-.41, 505-2-.42 and 505-2-.300; 3) amend the current rules in Chapter 505-2 Certification, effective December 15, 2010, as follows: 505-2-.01, 505-2-.03, 505-2-.06, 505-2-.15, 505-2-.16, 505-2-.20 and 505-2-.24; 4) rescind the current rules in Chapter 505-3 Educator Preparation, effective December 15, 2010, as follows: 505-3-.21, 505-3-.23, and 505-3-.58; and 5) initiate the current rules in Chapter 505-3 Educator Preparation, effective December 15, 2010, as follows: 505-3-.23 and 505-3-.58.

ACTION: Approved

VIII. ADJOURNMENT

Chair Wilkes announced that our next meeting will be held on December 9, 2010 at Two Peachtree Street, Atlanta, Georgia at 12:30.

Chair Wilkes called for the meeting to be adjourned at 1:25 p.m.

PSC ACTION: Approved