

# MINUTES

## PROFESSIONAL STANDARDS COMMISSION MEETING

GEORGIA POWER BUILDING  
Atlanta, Georgia

January 4, 2001

The Georgia Professional Standards Commission (PSC) met on Thursday, January 4, 2001, at 9 a.m. at the Georgia Power Building, 241 Ralph McGill Blvd., Atlanta, Georgia.

### **Members Present**

Phoebe Bailey  
Vicky Cody  
Kay Cribbs  
Amy Denty  
Thomas Harrison

Leon Hurley  
Debbie Lane  
Willda Melton  
Vernon Payne

Janet Scott  
Beth Steele  
Sue Sehgal  
Pam Thomas

### **Members Absent**

Anne Adams  
John Culbreath  
David Wallace

### **Visitors**

- Gail Wooten, Professional Association of Georgia Educators
- Mike McGonigle, Georgia Association of Educators
- Kenneth A. Cobb, Educator APS
- B. H. Shillcutt
- Endya Stewart, GTFC/PSC
- Peter Mather, GTFC/PSC
- C. Jewelle Johnson, Attorney
- Bernyece Cobb
- Stephanie Carreker, Georgia Department of Education
- Leanne Melton
- Robert Maxim, Georgia Department of Education
- Dorothy Ramey, Educator
- Jordan Lubin, Hearing Officer

- Carol Callaway, Attorney for PSC
- Kyle Pearson, Attorney for PSC
- Kendall Kerew, Attorney for PSC
- Rebecca Mick, Attorney for PSC
- Adrian Houston, Educator
- Richard Lord, Attorney

**I. CALL TO ORDER**

In the absence of Chairman Culbreath, Vice Chairman Bailey called the meeting to order at 9:05 a.m. and led the assemblage in the Pledge of Allegiance to the U.S. flag and a moment of silence.

**II. RECOGNITION OF VISITORS**

Vice Chairman Bailey recognized the visitors.

**III. ADOPTION OF AGENDA**

Vice Chairman Bailey called for approval of the agenda.

**MOTION:** (Sehgal/Thomas) To adopt the agenda as presented.

**ACTION:** Approved.

**IV. APPROVAL OF MINUTES**

Vice Chairman Bailey called for approval of the minutes from the December 7, 2000, Commission meeting.

**MOTION:** (Payne/Hurley) To approve the minutes as presented.

**ACTION:** Approved.

**V. REVIEW HEARING**

**A. Kenneth Cobb - Case No. 99-12-805 (9:15 a.m.)**

Jordan Lubin, PSC Hearing Officer, gave Mr. Cobb's attorney, Ms. Jewelle Johnson, and PSC's attorney, Rebecca Mick, each 20 minutes to present oral arguments.

**EXECUTIVE SESSION**

**MOTION:** (Payne/Sehgal) To go into executive session to make a decision in this case, and to allow the Commission's attorney and legal secretary to remain with the commission during its deliberation.

**ACTION:** Approved.

Return to open session.

**MOTION:** (Sehgal/Scott) To uphold the decision of the Administrative Law Judge to *deny the respondent's application for certificate.*

**ACTION:** Approved

Abstentions: None

It was noted by Executive Secretary Toth that the two newest members of the Commission had just arrived after being sworn in by the Governor earlier this morning. Vice Chairman Bailey welcomed Debbie Lane and Amy Denty to the commission.

**B. Dorothy Ramey - Case No. 99-9-478 (10:00 a.m.).**

Jordan Lubin, PSC Hearing Officer, gave Ms. Ramey and PSC's attorney, Carol Callaway, each 20 minutes to present oral arguments.

**EXECUTIVE SESSION**

**MOTION:** (Sehgal/Thomas) To go into executive session to make a decision in this case, and to allow the Commission's attorney and legal secretary to remain with the commission during its deliberation.

**ACTION:** Approved.

Return to open session.

**MOTION:** (Sehgal/Thomas) To uphold the decision of the Administrative Law Judge for *revocation*. The sanction is to become effective fifteen (15) days from today.

**ACTION:** Approved

Opposed: Payne, Cribbs, and Melton  
Abstentions: Denty and Lane

**C. Adrian Houston - Case No. 99-10-586**

Jordan Lubin, PSC Hearing Officer, gave Mr. Houston's attorney, Richard Lord, and PSC's attorney, Carol Callaway, each 20 minutes to present oral arguments.

**EXECUTIVE SESSION**

**MOTION:** (Payne/Sehgal) To go into executive session to make a decision in this case, and to allow the Commission's attorney and legal secretary to remain with the commission during its deliberation.

**ACTION:** Approved.

Return to open session.

**MOTION:** (Sehgal/Thomas) To uphold the decision of the Administrative Law Judge for *revocation*.

**ACTION:** Approved

Abstentions: Denty and Lane

## **VI. COMMITTEE REPORT**

### **A. Professional Practices Review Committee**

1. The Professional Practices Review Committee reviewed thirty-eight (38) *Probable Cause* cases during its January 3, 2001, meeting and brought motions to the Commission as follows:

<b><u>Case Number</u></b>	<b><u>Committee Recommendation</u></b>
00-07-030	No Probable Cause
00-10-501	Reprimand and Monitoring for Two Years
00-10-534	No Probable Cause
00-10-588	Monitoring for One Year
00-10-600	Revocation
00-11-675	No Probable Cause
00-11-659	Revocation
00-10-532	No Probable Cause
00-10-607	No Probable Cause
00-10-528	No Probable Cause
00-10-590	Suspension for Five Months
00-10-524	Suspension for Three Years
00-10-540	Suspension for Three Years
00-11-820	Suspension for Six Months
00-10-592	No Probable Cause
00-10-589	Reprimand and Monitoring for Two Years
00-10-531	No Probable Cause
00-10-640	No Probable Cause
00-09-395	Suspension for Six Months
00-10-516	Suspension for Three Months
00-10-518	No Probable Cause
00-10-523	Suspension for Six Months
00-10-599	No Probable Cause
00-10-612	Suspension for Six Months
00-10-622	Suspension for Six Months
00-10-641	Suspension for Six Months
00-10-529	Warning
00-10-583	Suspension for One Year
00-10-591	Reprimand and Monitoring for One Year
00-10-606	No Probable Cause
00-10-609	No Probable Cause
00-10-610	Warning
00-10-554	No Probable Cause
00-10-598	Reprimand and Monitoring for Two Years
00-10-608	Reprimand and Monitoring for Two Years
00-10-526	No Probable Cause
00-10-527	No Probable Cause
00-10-587	Reprimand and Monitoring for Two Years

**MOTION:** (Harrison/Payne) To accept the recommendations of the PPRC Committee, except in Case No. 00-10-622, which will be discussed further.

**ACTION:** Approved.

Abstention: Lane and Denty

Case No. 00-10-622 was reviewed separately, and a motion was made as follows:

**MOTION:** (Scott/Thomas) To accept the recommendation of the PPRC in Case No. 00-10-622.

**ACTION:** Approved.

Opposed: Payne

Abstentions: Denty and Lane

2. The Professional Practices Review Committee reviewed 2 *Initial Decisions* during its January 3, 2001, meeting and brought motions to the Commission as follows:

<u>Case Number</u>	<u>ALJ's Decision</u>	<u>PPRC's Recommendation</u>
98-12-677	*Warning with 3 Years Monitoring	Review
99-9-304	Reprimand	Accept

\*Amended decision. The ALJ's original decision was *probation for three years and monitoring during the three years if the educator returns to Georgia during the period of probation*. Since probation is not a sanction of the PSC, the ALJ decision was amended as noted.

**MOTION:** (Harrison/Thomas) To accept the recommendation of the PPRC for Case No. 99-9-304 and hold Case 98-12-677 for further discussion in executive session.

**ACTION:** Approved.

Abstention: Denty and Lane

3. The Professional Practices Review Committee reviewed 10 *Settlement Agreement* cases during its January 3, 2001, meeting and brought a motion to accept the settlements agreed to:

<u>Case Number</u>	<u>Settlement Agreement</u>	<u>PPRC Recommendation</u>
00-07-037	Warning	Accept
00-07-048	Warning	Accept
00-07-086	Suspension for Six Months	Accept
00-08-181	Warning	Accept
00-08-236	Monitoring for Two Years	Accept
00-09-446	Suspension for Six Months	Accept
00-10-459	Suspension for Six Months	Accept
00-10-538	Warning and Monitoring for Two Years	Accept
00-10-543	Monitoring for Two Years	Accept
00-11-629	Reprimand and Monitoring for One Year	Accept

Abstention: Denty and Lane

**MOTION:** (Payne/Sehgal) To accept the recommendation of the PPRC for all ten settlement agreements.

**ACTION:** Approved.

4. The Professional Practices Review Committee reviewed 10 negotiated *Settlement Agreement* cases during its January 3, 2001, meeting and brought recommendations as follows:

<u>Case Number</u>	<u>Negotiated Proposal</u>	<u>Recommendation</u>
00-05-1410	Warning and Monitoring for One Year	Accept
00-08-275	Suspension for Six Months	Accept
00-02-1042	Suspension for One Year	Accept
00-02-1075	No Probable Cause	Reject
00-01-923	No Probable Cause	Reject
99-11-708	No Probable Cause	Accept
98-10-509	Warning	Consult with Legal Counsell
00-02-1045	Suspension for Six Months	Accept

<u>Case Number</u>	<u>Negotiated Proposal</u>	<u>Recommendation</u>
00-06-1639	Reprimand	Accept
00-06-1640	Reprimand	Accept

**MOTION:** (Payne/Thomas) To accept the negotiated settlements for all cases except Case Nos. 00-02-1075; 00-01-923; and 98-10-509. These three cases will be discussed further in executive session.

**ACTION:** Approved.

**EXECUTIVE SESSION**

**MOTION:** (Cribbs/Sehgal) To go into executive session to discuss one initial decision case (98-12-677) and three negotiated settlement cases (00-02-1075; 00-01-923; and 98-10-509), and to allow the commission's attorney and legal secretary to remain during that session.

**ACTION:** Approved.

Return from executive session.

**MOTION:** (Payne/Sehgal) To accept the Administrative Law Judge's amended decision in the Initial Decision Case 98-12-677.

**ACTION:** Approved.

Abstentions: Cody, Hurley, Denty and Lane

**MOTION:** (Scott/Hurley) To reject the negotiated settlement agreements in Cases 00-02-1075 and 00-01-923.

**ACTION:** Approved.

Abstentions: Denty and Lane

**MOTION:** (Sehgal/Hurley) To accept the upheld negotiated settlement in Case 98-10-509.

**ACTION:** Approved.

Abstentions: Denty and Lane

**5.** The Professional Practices Review Committee recommended 25 *Extensions* in order to complete investigations. These cases are:

<u>Case Number</u>	<u>Case Number</u>	<u>Case Number</u>
00-10-631	00-09-425	00-11-672
00-10-515	00-10-472	00-11-673
00-10-596	00-10-477	00-11-707
00-10-520	00-10-506	00-11-715
00-10-597	00-10-549	00-11-741
00-10-595	00-10-560	00-11-779
00-10-621	00-10-577	00-11-790
00-08-243	00-10-620	
00-09-416	00-10-654	

**MOTION:** (Thomas/Steele) To accept the recommendation of the PPRC and grant the extensions requested.

**ACTION:** Approved.

6. December 2000 complaint report was distributed listing the 32 cases that the cognizant members reviewed.

**MOTION:** (Payne/Cribbs) To accept the determinations of the cognizant members for all 32 complaints.

**ACTION:** Approved.

7. During the month of December, the Student Finance Commission forwarded notification to the Professional Standards Commission asking the commission to suspend **Eight (8)** educator certificates for default on repayment of student loans. These cases are:

<u>Case Number</u>	<u>Case Number</u>	<u>Case Number</u>
01-01-916	01-01-919	01-01-922
01-01-917	01-01-920	01-01-923
01-01-918	01-01-921	

**MOTION:** (Harrison/Thomas) To suspend these certificates until arrangements can be made for the repayment of their student loans.

**ACTION:** Approved.

8. The following educators received notification of the Professional Standards Commission's proposed disciplinary sanctions. In accordance with Rule No. 505-6-.04 (1) (c), the educator's failure to request a hearing within thirty days constitutes a waiver of their right to contest the proposed sanctions. Therefore, the sanctions have become the final decisions of the Commission.

<u>Case Number</u>	<u>Sanction</u>
00-08-187	Denial
00-08-217	Denial
00-08-226	Suspension for One Year
00-08-241	Suspension for One Year
00-08-242	Suspension for One Year
00-08-268	Revocation

9. The following cases were referred to the Office of State Administrative Hearings for adjudication of the Professional Standards Commission's (PSC) proposed disciplinary sanction. The Administrative Law Judge rendered an Initial Decision that was subsequently accepted by the PSC. The Initial Decision was served upon the educator. The educator's failure to request a review hearing within thirty days requires that the Initial Decision become the Final Decision of the Commission by operation of law.

<u>Case Number</u>	<u>Sanction</u>
99-10-555	Monitoring for Two Years
98-8-264	Revocation
00-01-940	No Probable Cause
00-02-986	Denial
99-05-433	Reprimand

10. The December 2000 Probable Cause Determination report was distributed listing the **Thirty-Six (36) Cases** that have been administratively cleared as having no probable cause for investigation.

**MOTION:** (Payne/Thomas) To accept the probable cause determinations in the cases listed.

**ACTION:** Approved.

## **VII. EXECUTIVE SECRETARY REPORT**

Dr. Toth told the Commission that a new report entitled the *Status of the Georgia Teaching Force* was completed last month by the Georgia Teaching Force Center headed up by Cyndy Stephens, and that a second, more indepth, report will be released in August of this year. This report was produced by Cyndy and her staff as well as several of the regular PSC staff members. The Georgia Teaching Force Center has been working diligently to collect data that will be useful in all areas of education, and during the next few months they will be producing several reports in addition to the *Status of the Georgia Teaching Force*. We hope to have the Teaching Force Center as a permanent part of the PSC staff.

Dr. Fran Watkins presented the most current data to the Commission on the new Five-Days-in-the-Classroom requirement of the *A+ Education Reform Act of 2000*. She, Dr. Toth, and Mr. Blackwell recently met with several representatives from local schools, RESA's and the University System of Georgia to establish the criteria that would be used to develop the approval standards for the classes that can be accepted in lieu of the new five days in a classroom certification renewal requirement.. Dr. Watkins also supplied the Commission with a handout for their review.

The new technology requirement for certification renewal was also reviewed, and Dr. Jerry Thomas gave a status report to the Commission. Dr. Toth has appointed a committee to study and make recommendations on what the standards should be in the development of technology classes to be accepted in lieu of passing the technology test that is required for renewal. Dr. Thomas has worked with this committee for the past several months, and reported that their recommendations are in the final review stage.

Dr. Toth expressed his appreciation to Georgia Power for their hospitality to the PSC, and he thanked Commissioner Thomas and President David Ratcliffe of Georgia Power for their on-going support of education.

## **VIII. CHAIRMAN'S REPORT**

None.

## **IX. OTHER BUSINESS**

None.

## **X. ADJOURNMENT**

**MOTION:** (Cribbs/Steele) To adjourn the meeting.

**ACTION:** The meeting was adjourned at 2:10 p. m.