MINUTES

PROFESSIONAL STANDARDS COMMISSION

DHR Board Room Two Peachtree Street Atlanta, Georgia 30303-3141 March 11, 2004

The Georgia Professional Standards Commission (PSC) met on Thursday, March 11, 2004, at 9 a.m.

Members Present

Gary Bechtel	Mary Gomez	Janet Scott
Steven Dartt	Gwenda Johnson	Bo Slack
Terri DeLoach	Dottie McClain	Gary Walker
Amy Denty	Maria Miller	Debbie Wilkes

Jean Ebron Lee Muns

Members Absent

Craig Smith Carolyn Lee Hart

I. CALL TO ORDER

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

II. RECOGNITION OF VISITORS

Chair DeLoach recognized the visitors.

- Margaret Elliott, Professional Association of Georgia
 Educators
- Edie Belden, Professional Association of Georgia
 Educators
- Mike McGonigle, Georgia Association of Educators
 (GAE)
- Nancy Barrett
- Leland Barrett

- Frankie Ross, Director Prof. Learning, Houston Co. School System
- Beth Roberts, GACTE
- Kathryn Allen, PSC Attorney
- James David Dunham, Attorney
- Rebecca Mick, PSC Attorney
- David Ebron

III. ADOPTION OF AGENDA

Chair DeLoach called for approval of the agenda.

MOTION: (Muns / McClain) To approve agenda.

PSC ACTION: Approved

IV. <u>APPROVAL OF MINUTES</u>

Chair DeLoach called for approval of the minutes from the February 12, 2004, Commission meeting.

MOTION: (Muns / Miller) To approve agenda.

PSC ACTION: Approved

V. TESTING PROCEDURES

Mike Harmon, Department of Education spoke about testing procedures and answered questions from the commission.

VI. <u>COMMITTEE REPORTS</u>

A. Ethics and Professional Conduct -- Recommendations and Actions on Cases

Commissioner Janet Scott, Chair of the Educator Ethics Review Committee (EERC), gave a preliminary review of the Cases.

1. Ms. Scott reported that the Committee reviewed 48 *Probable Cause* cases during its March 10, 2004, meeting and brought the following recommendations on behalf of the Committee excluding cases #34:

PC Case		STANDARD(S)	EERC
#	Number		Recommendation
1	03-11-686	Criminal Acts Professional Conduct	Suspension for Three Months
2	03-12-828	Criminal Acts Professional Conduct	Suspension for One Year
3	04-01-933 Applicant	Criminal Acts Professional Conduct	No Probable Cause
4	04-01-983 Applicant	Criminal Acts Professional Conduct	No Probable Cause
5	03-11-700	Abuse of Students Professional Conduct	No Probable Cause
6	03-11-762	Abuse of Students Professional Conduct	No Probable Cause
7	03-11-770	Abuse of Students Professional Conduct	Reprimand
8	03-11-785 Applicant	Abuse of Students Professional Conduct	Denial
9	03-11-807	Abuse of Students Professional Conduct	Revocation
10	03-12-820	Abuse of Students Professional Conduct	Suspension for One Year
11	03-12-893 Applicant	Abuse of Students Professional Conduct	Denial

PC	Case	STANDARD(S)	EERC
#	Number		Recommendation
12	03-12-920	Abuse of Students Professional Conduct Misrepresentation or Falsification	Reprimand
13	03-12-924	Abuse of Students Professional Conduct Criminal Acts	Reprimand
14	03-11-763 Addendum Information	Alcohol or Drugs Professional Conduct	Suspension for Two Years
15	03-10-627	Misrepresentation or Falsification	No Probable Cause
16	03-11-703	Misrepresentation or Falsification Professional Conduct	No Probable Cause
17	03-11-803	Misrepresentation or Falsification Professional Conduct Public Funds and Property	No Probable Cause
18	03-12-891	Misrepresentation or Falsification Professional Conduct Improper Remunerative Conduct	Suspension for One Month
19	03-12-895	Misrepresentation or Falsification Professional Conduct	Suspension for One Month
20	03-12-896	Misrepresentation or Falsification Professional Conduct	Reprimand
21	03-12-902	Misrepresentation or Falsification Professional Conduct	Reprimand
22	04-01-974 Applicant	Misrepresentation or Falsification Professional Conduct	Denial
23	04-01-975 Applicant	Misrepresentation or Falsification Professional Conduct Criminal Acts	Warning
24	04-01-979 Applicant	Misrepresentation or Falsification Professional Conduct Abandonment of Contract Action Taken in Another State	Denial
25	03-11-754	Public Funds and Property Misrepresentation or Falsification Professional Conduct	Revocation
26	03-12-901	Public Funds and Property Misrepresentation or Falsification Professional Conduct	Suspension for Two Years
27	03-12-918	Public Funds and Property Misrepresentation or Falsification	Reprimand

PC	Case	STANDARD(S)	EERC	
#	Number		Recommendation	
28	03-10-572	Abandonment of Contract	No Probable Cause	
29	03-10-602	Abandonment of Contract	Suspension for Six Months	
30	03-12-905	Abandonment of Contract	Suspension for Six Months	
31	03-12-917	Abandonment of Contract	Suspension for Six Months	
32	03-10-541	Failure to Make a Required Report Misrepresentation or Falsification	Revocation	
33	03-12-890	Failure to Make a Required Report Misrepresentation or Falsification	Warning	
34	03-11-753 Addendum Information	Professional Conduct Abuse of Students	Suspension for One Month	
35	03-12-887	Professional Conduct	No Probable Cause	
36	03-12-892	Professional Conduct	No Probable Cause	
37	03-12-894	Professional Conduct	No Probable Cause	
38	03-12-899	Professional Conduct Abuse of Students	Suspension for One Year	
39	03-12-900	Professional Conduct	Warning	
40	03-12-906 Addendum Information	Professional Conduct Abuse of Students	Suspension for Six Months	
41	03-12-907	Professional Conduct Misrepresentation or Falsification	Suspension for One Month	
42	03-12-913	Professional Conduct	No Probable Cause	
43	03-12-922	Professional Conduct Misrepresentation or Falsification Failure to Make a Required Report	Reprimand	
44	03-12-926	Professional Conduct	Reprimand	
45	04-01-956	Failure to Make a Required Report Misrepresentation or Falsification	Warning	
46	04-01-959	Failure to Make a Required Report Warning Misrepresentation or Falsification		
47	04-01-1006	Failure to Make a Required Report Misrepresentation or Falsification	Warning	
48	04-01-1009	Failure to Make a Required Report Misrepresentation or Falsification	Warning	

PSC ACTION: Approved

Case # 34

MOTION: (Slack / Miller) To amend the EERC recommendation from a Suspension of One Month to a

Revocation.

PSC ACTION: Not Approved

The motion was amended.

MOTION: (Walker / Denty) To amend the amended motion to a 2 year Suspension.

PSC ACTION: Approved

To adopt case #34 as an amended motion.

PSC ACTION: Approved

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

Case Number	Ethical Violation	ALJ	EERC
		Initial Decision	Recomm.
02-10-1158	Criminal Acts; Alcohol or Drugs;	Revocation	Accept
	Professional Conduct		
02-09-943	Criminal Acts; Professional Conduct	Denial	Accept

PSC ACTION: Approved

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

Case	Educator	Nature of Petition	Previous Decision	EERC
Number			(Violation)	Recomm.
03-12-903	Gregory Oliver	Right to Reapply	Denied – 1/10/2002	Deny
			Misrepresentation or Falsification	
03-09-398	Sonia Prescott	Right to Reapply	Revocation $-9/22/2000$	Grant
			Criminal Acts	
03-09-394	Jennifer Bradshaw	Right to Reapply	Revocation - 9/7/2000	Grant
			Alcohol or Drugs	

PSC ACTION: Approved

4. Ms. Scott reported that the Educator Ethics Review Committee reviewed 16 *Settlement Agreements* and brought the following recommendations on behalf of the Committee:

Case Number	Sanction	Violation	EERC Recommendation
03-10-551	Reprimand	Misrepresentation or Falsification;	Accept
		Professional Conduct	
03-10-563	Suspension for One Year	Abuse of Students;	Accept
		Professional Conduct	
03-10-586	Reprimand	Professional Conduct	Accept
03-10-603	Reprimand	Abuse of Students;	Accept
		Professional Conduct;	
		Criminal Acts	
03-11-699	Reprimand	Public Funds and Property;	Accept
		Professional Conduct	
03-11-702	Reprimand	Criminal Acts;	Accept
		Professional Conduct	
03-11-720	Reprimand	Abuse of Students;	Accept
		Professional Conduct	
03-11-758	Warning	Professional Conduct	Accept
03-11-759	Warning	Professional Conduct	Accept

Case Number	Sanction	Violation	EERC Recommendation
03-11-777	Warning	Professional Conduct	Accept
03-11-801	Reprimand	Criminal Acts; Misrepresentation or Falsification; Failure to Make a Required Report	Accept
03-11-809	Reprimand	Abuse of Students; Professional Conduct	Accept
03-12-822	Warning	Failure to Make a Required Report Misrepresentation and Falsification	Accept
03-12-877	Warning	Failure to Make a Required Report Misrepresentation or Falsification	Accept
03-12-919	Revocation***	Abuse of Students; Professional Conduct	Accept
04-01-1086	Revocation***	Public Funds and Property; Professional Conduct	Accept

^{***}Indicates Educator/Applicant Voluntarily Accepted a Sanction of Revocation or Denial Prior to the Probable Cause Determination

PSC ACTION: Approved

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

Case Number	Violation	Negotiated Proposal	EERC Recomm.	
03-08-221	Misrepresentation or Falsification; Professional Conduct	Reprimand	Accept	
02-08-393	Abandonment of Contract	Reprimand	Reject	
03-10-477	Failure to Make a Required Report	Warning	Accept	
	Misrepresentation or Falsification			
03-02-1583	Misrepresentation or Falsification	Suspension for	Accept	
	Professional Conduct	One Month		
03-06-2413	Misrepresentation or Falsification	Suspension for	Accept	
	Professional Conduct	Three Months		
03-07-162	Action Taken in Another State	Reprimand	Accept	
	Abuse of Students; Professional Conduct	Monitoring for One Year		
03-05-2080	Misrepresentation or Falsification	Reprimand	Accept	
	Professional Conduct			
02-12-1379	Failure to Comply With Monitoring	Suspension for	Reject	
	Misrepresentation or Falsification	Six Months		
	Professional Conduct			
03-03-1727	Abuse of Students	Suspension for	Accept	
	Misrepresentation or Falsification	Three Years		
	Professional Conduct			
02-12-1318	Abuse of Students Professional Conduct	Revocation	Accept	
03-08-204	Failure to Make a Required Report	Reprimand	Accept	
	Misrepresentation or Falsification			
	Professional Conduct			

PSC ACTION: Approved

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6. Ms. Scott reported that the Educator Ethics Review Committee reviewed 2 *Other Business* cases and brought the following recommendations on behalf of the Committee:

Case Number	DESCRIPTION	EERC Recomm.
99-3-283	Discussion of Application to Court of Appeals	Table Until April, 2004
03-6-2211	Request for "Out of Time" Agency Review	Deny

PSC ACTION: Approved

Abstention: Bo Slack - Case # 1

7. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 68 new complaints received during the month of February and March 2004:

PSC ACTION: Approved

Abstention: Maria Miller – Case # 27 and 31, Stephen Dartt – Case # 27, Dottie McClain – Case # 50

8. The Educator Ethics Review Committee recommended approval of the *Extensions to Investigations Report* consisting of 24 cases.

| Case Number |
|-------------|-------------|-------------|-------------|-------------|
| 03-12-911 | 03-12-889 | 04-01-977 | 04-01-1018 | 04-01-1064 |
| 03-12-921 | 03-12-908 | 04-01-985 | 04-01-1026 | 04-01-1066 |
| 03-12-925 | 03-12-927 | 04-01-997 | 04-01-1060 | 04-02-1120 |
| 03-11-766 | 03-12-886 | 04-01-1008 | 04-01-1061 | 04-02-1122 |
| 03-12-839 | 03-12-888 | 04-01-1013 | 04-01-1062 | |

PSC ACTION: Approved

9. APPLICATIONS FOR CERTIFICATION REPORT

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 15 cases reflected on the *Applications for Certification Report*.

PSC ACTION: Approved

10. REVIEW HEARING EXTENSIONS

The Commission reviewed the *Review Hearing Extensions Report* concerning 3 hearing cases. An Administrative Law Judge has 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. STUDENT LOAN SUSPENSION / REINSTATEMENTS

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The Commission reviewed the report, which advised of 21 *Student Loan Reinstatements and* 12 *Student Loan Suspensions*.

B. Educator Preparation Standing Committee

Committee Chair, Mary Gomez, presented the report of the Educator Preparation Standing Committee.

1. Brenau University

The Standing Committee for Educator Preparation suggested Continuing Approval for the following programs, pending NCATE Unit accreditation:

- Early Childhood, Initial and Advanced
- Middle Grades, Initial and Advanced
- Art Education, Initial
- Dance Education, Initial
- Music Education, Initial
- Special Education—MR, Initial
- Special Education—BD, Initial and Advanced
- Special Education—IR, Advanced
- Special Education—LD, Advanced
- Classroom Reading Teacher, Endorsement
- Teacher Support Specialist, Endorsement

The Committee suggested Developmental Approval for the following M.A.T. programs:

- Drama Education, Initial
- English Education, Initial
- Mathematics Education, Initial
- Science Education, Initial
- Social Studies Education, Initial

2. Fort Valley State University

The Standing Committee for Educator Preparation suggested, pending NCATE accreditation:

- 1. Continuing Approval for the Agriculture Education Program.
- 2. Continuing Approval with Probation for the programs listed below.

A progress report addressing all Not Met Standards is due August 16, 2004. An in-depth on-site review will occur March 2005, at which time all Areas for Improvement shall be addressed.

- Early Childhood Education, Initial and Advanced
- Family & Consumer Sciences Education, Advanced
- French Education, Initial

- Health & Physical Education, Initial
- Mathematics, Initial
- Middle Grades Education, Initial and Advanced
- School Counseling, Advanced

3. Georgia State University

The Standing Committee for Educator Preparation suggested Developmental Approval for the Teacher Support Specialist Endorsement Program. A Progress Report addressing all Areas for Improvement is due May 17, 2004.

4. Georgia Southwestern University

The Standing Committee for Educator Preparation suggested that while progress has been made on the development and articulation of the conceptual framework, the research base must be completed and included in the April 1, 2004 Progress Report.

5. Piedmont College

The Standing Committee for Educator Preparation suggested that Progress is satisfactory; stipulations may be removed. Approval status may be changed to Continuing Approval.

6. Thomas University

The Standing Committee for Educator Preparation suggested that while the report submitted January 12, 2004, demonstrates progress, it does not clearly define a systematic plan for compiling, summarizing, and analyzing assessment data in order to improve candidate performance. The Committee suggested a progress report addressing this Area for Improvement be submitted by August 1st, 2004, and that the report include a table summarizing such a plan.

7. West Georgia Regional Educational Service Agency

The Standing Committee for Educator Preparation suggested that progress is satisfactory; stipulations are removed. Approval status is changed to Developmental Approval.

8. St. Martin's Episcopal School

The Standing Committee for Educator Preparation suggested that progress is satisfactory; areas for improvement are removed. Approval status is changed to Developmental Approval.

9. The Epstein School

The Standing Committee for Educator Preparation suggested Developmental Approval for the Instructional Technology Course, "Integrated Technology for Teachers: A Skill Based Course".

10. Paraprofessional Preparation Programs

The Standing Committee for Educator Preparation suggested Developmental Approval for the Paraprofessional Preparation Programs at the institutions listed below.

- Coosa Valley Technical College
- Lanier Technical College
- Moultrie Technical College
- Bainbridge College
- Dalton State College
- Darton College
- Middle Georgia Technical College
- Southeastern Technical College

MOTION: (Gomez / Johnson) To accept the Standing Committee's suggestions for the Educator Preparation Report as stated.

PSC ACTION: Approved

Abstention: Bo Slack – Paraprofessional Preparation Programs

VII. REVIEW HEARINGS

1. Towanda Henderson - Educator (Case # 02-3-1613)

Wayne Magnum - Hearing Officer Kathryn Allen - PSC Attorney Michael McGonigle - Attorney

MOTION: (Miller / Denty) To go into Executive Session and allow PSC staff and PSC Attorney (Penny

Hannah, Lakesha Mackin and Lisa Hartzler) to remain.

PSC ACTION: Approved

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

PSC ACTION: Approved

MOTION: (Muns / 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 *Towanda Henderson* be *Suspended for a period of One Month*. The effective date of the final decision is March 11, 2004. The period of suspension shall begin on *March 26, 2004* and shall conclude on *April 26, 2004*.

PSC ACTION: Approved

2. Leland Barrett - Educator (Case # 03-4-2013)

Wayne Magnum - Hearing Officer Rebecca Mick - PSC Attorney 4/14/2004 Page 11

> James David Dunham - Attorney

MOTION: (Scott / Miller) To go into Executive Session and allow PSC staff and PSC Attorney (Penny

Hannah, Lakesha Mackin and Lisa Hartzler) to remain.

PSC ACTION: Approved

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

PSC ACTION: Approved

MOTION: (Denty / 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 *Leland Barrett* be revoked effective March 11, 2004.

PSC ACTION: Approved

3. Joyce Kang - Educator (Case # 02-8-715)

Joyce Kang Wayne Magnum - Hearing Officer - PSC Attorney

MOTION: (Denty / Johnson) To go into Executive Session and allow PSC staff and PSC Attorney (Rebecca

Mick, Lakesha Mackin and Lisa Hartzler) to remain.

PSC ACTION: Approved

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

PSC ACTION: Approved

MOTION: (Scott / Miller) To adopt the Findings of Fact, Conclusions of Law and Decision reached by the Administrative Law Judge with the following specifications. The Commission hereby rejects the recommendation made by the Administrative Law Judge that no sanction be taken against the educator's certificate. The Commission concludes that a sanction is appropriate in this particular case.

In section "III. Conclusions of Law, 6.", of the Initial Decision made by the Administrative Law Judge, it is stated:

"The uncontroverted evidence is that the PSC did not "clear" Petitioner of the December 2001 teaching certification suspension and that the incident should therefore have been reported in the affirmation under the personal affirmation section on her PSC application. Respondent unquestionably has the legal authority and factual basis to support the issuance of a warning to sanction Petitioner."3

Because the sanction recommended by the Administrative Law Judge does not reflect the seriousness with which the Commission views the Respondent's violation of the rules applicable to educators, the Commission hereby ORDERS that the Georgia educator certificate held by *Joyce Kang* be issued a Warning effective March 11, 2004.

PSC ACTION: Approved

VIII. EXECUTIVE SECRETARY REPORT

The Executive Secretary presented the following:

A. A paper entitled "New Certification Rule Training" was given to all commission members. The schedule for 1 day training workshops to be delivered at RESAs was listed. The intent is to have completed all RESA Workshops before the end of May 2004. There will be a Web-based Information Delivery with the intent to be operational with first "Newsletter" on March 15th. There was also a schedule of Outreach Presentations to be presented to professional organizations, school systems and colleges.

B. LaGrange College and Wesleyan College

<u>MOTION</u>: (Muns / Denty) To grant a 6 month extension to the Education Department of LaGrange College on-site review and deny a 6 month extension to the Education Department of Wesleyan College on-site review. **PSC ACTION**: Approved

C. Program Provider Application Package for the One-Year Supervised Practicum

MOTION: (McLain / Slack) To accept the application process for the One Year Supervised Practicum for the test based option for certification.

PSC ACTION: Approved

D. Principles of Learning and Teaching (PLT) Certification Tests

MOTION: (Muns / Walker) To approve the new Principles of Learning and Teaching (PLT) certification tests, recommended passing scores and phase-in schedule, effective March 15, 2004. Effective March 15, 2004, individuals seeking certification through the test-based option, will be required to take one of the following PLT certification tests for the appropriate level(s):

Required tests	Mar. 15, 2004	July 1, 2007	July 1, 2009
0522 Principles of Learning and Teaching PLT	145	150	156
K-6			
0523 Principles of Learning and Teaching PLT	155	162	168
5-9			
0524 Principles of Learning and Teaching PLT	154	160	166
7-12			

^{*}Note: PLT K-6 will be used for Early Childhood (P-5). PLT 5-9 will be used for Middle Grades (4-8). P-12 level candidates may choose either of the three tests.

The motion was amended.

MOTION: (Muns / Walker) To amend the previous motion to the following: To approve the new Principles of Learning and Teaching (PLT) certification tests, recommended passing scores and phase-in schedule, effective March 15, 2004. Effective March 15, 2004, individuals seeking certification through the test-based option, will be required to take one of the following PLT certification tests for the appropriate level(s):

Required tests	Mar. 15, 2004	July 1, 2006	July 1, 2008
0522 Principles of Learning and Teaching PLT K-6	152	157	161
0523 Principles of Learning and Teaching PLT 5-9	155	162	168
0524 Principles of Learning and Teaching PLT 7-12	154	160	166

*Note: PLT K-6 will be used for Early Childhood (P-5). PLT 5-9 will be used for Middle Grades (4-8). P-12 level candidates may choose either of the three tests.

The motion was amended.

MOTION: (Scott / Walker) To amend the amended motion to the following: To approve the new Principles of Learning and Teaching (PLT) certification tests and recommended passing scores effective March 15, 2004. A phase in schedule will be determined at a later date. Effective March 15, 2004, individuals seeking certification through the test-based option, will be required to take one of the following PLT certification tests for the appropriate level(s):

Required tests	Mar. 15, 2004
0522 Principles of Learning and Teaching PLT K-6	152
0523 Principles of Learning and Teaching PLT 5-9	155
0524 Principles of Learning and Teaching PLT 7-12	154

*Note: PLT K-6 will be used for Early Childhood (P-5). PLT 5-9 will be used for Middle Grades (4-8). P-12 level candidates may choose either of the three tests.

PSC ACTION: Approved Opposed: Gary Bechtel

To accept the amended motion.

PSC ACTION: Approved
Opposed: Stephen Dartt

- **E.** An update was given on the Sports Medicine Certificate.
- **F.** Majors and Fields

<u>MOTION</u>: (Walker / Slack) To establish the Commission's list of closely related academic majors to certification fields to be the list titled Majors and Fields (Initial Version March 2004) as presented at this meeting; to direct the Commission staff to communicate the list statewide; to authorize the Commission staff to add to and delete from the list as new major titles are submitted and as limitation of majors on the current list are discovered, and to set a schedule for the Commission to review and modify the list annually.

PSC ACTION: Approved

G. The April commission meeting will be held in Cordele, Georgia.

VIII. CHAIR'S REPORT

Chair DeLoach apologized for missing the February Commission meeting.

IX. ADJOURNMENT

MOTION: (Denty / McClain) To adjourn the meeting. PSC ACTION: The meeting adjourned at 1:05 pm.