

MINUTES

PROFESSIONAL STANDARDS COMMISSION Two Piedmont Avenue Atlanta, Georgia May 8, 2014

The Georgia Professional Standards Commission (PSC) met on Thursday, May 8, 2014, at 12:30 p.m.

Members Present

Julia Bernath	David Johnson	Terrie Ponder
Lauren Eckman	Scott Justus	Carol Rivera
Dr. Penny Elkins	Henry Kelly	Sheryl Stalvey
Dr. Adrian Epps	Christy McGill	Bettina Polite Tate
Phil Jacobs		Pam Walker

Members Absent

Pam Williams	Dr. Lawrence Walters
Kamila Luigs	Valerie Mateen

I. WORK SESSION

- Anne Marie Fenton and Clyde Reese, Educational Testing Services (ETS) reviewed the following:
 1. Program-to-date GACE data (entire program) - Handouts were given that included GACE results by assessment and GACE by test from October 1, 2013 to March 2014.
 2. Previewed the standard setting process for the three certification upgrade assessments, which are Instructional Technology, Curriculum and Instruction, and Teacher Leadership, along with Educational Leadership
 3. Described the recommended passing standard for Speech and Language Pathology Praxis (due to upcoming new version)
- Kelly Henson told the Commission that we will discuss program admission scores during the next several months. He also reminded the Commission that because of our new rulemaking, the certification staff has a steep learning curve. They have a daunting task, but they are up for the challenge.
- Chair Elkins spoke briefly about the delegation from Georgia that participated in the Early Learning Challenge Annual Grantee Meeting in Washington, D.C.

II. CALL TO ORDER

Chair Elkins called the meeting to order at 12:35 p.m. and led the Pledge of Allegiance to the U.S. flag and a moment of silence.

III. ADOPTION OF AGENDA

Chair Dr. Elkins called for approval of the agenda.

MOTION: (Pam Walker / Phil Jacobs) To approve the agenda.

PSC ACTION: Approved

6/20/2014

Page 2

IV. APPROVAL OF MINUTES

Chair Elkins called for approval of the minutes from the April 10, 2014, Commission meeting.

PSC ACTION: Approved

V. VISITORS

Chair Dr. Elkins welcomed the visitors.

- Leonard Williams, Professional Association of Georgia Educators
- Jessica Johnson, Office of Planning and Budget
- Wanda Swiggett, ETS
- George Powell, ETS
- Janet Cook, ETS
- Linda Fortson, Warren Fortson Law Office
- Jan Ruthven
- Tayia Donald, Georgia Association of Educators (GAE)
- Clyde Reese, ETS

VI. EMPLOYEE SERVICE AWARDS

Chair Elkins and Kelly Henson thanked the employees listed below for their service and presented them with their service awards.

Windy Fortenberry – 15 Years - We are pleased to congratulate Windy on 15 years of valuable service to the State of Georgia. However, before Windy became a ‘permanent’ state employee in March of 1999, she served enthusiastically as the GaPSC’s receptionist for two years while completing her undergraduate degree. So, for 17 years, Windy has been an integral part of the GaPSC, back when it was just the plain ‘ole PSC. She grew up at the PSC and few staff members have the knowledge she has acquired through the years or the fortitude to have lasted so long in a division tasked with the enforcement of rules and regulations.

For those of you who do not know Windy, she is the epitome of a southern lady...she is gracious, thoughtful, and always considerate of others and their feelings. But don’t underestimate her intelligence and backbone; she just knows how to be spunky, not aggressive; assertive, not brash. Windy believes in working hard as long as she can do it in high heels and without her hair frizzing. Her hard work and dedication to the Certification Division led from positions as a receptionist to an information specialist, evaluator, program manager and her current position of Certification Program Director since June 1, 2013, where she leads the largest staff at the GaPSC in what is hands-down the most complicated work of the agency. But she makes it look easy; that’s how good she is!

So, congratulations Windy on 17 years of rules: following them, explaining them, teaching them and making sure others follow them...it is not an easy job, especially in high-heels.

Kelli Young – 20 Years - Today we are also pleased to congratulate Kelli Young on 20 years of valuable service to the State of Georgia and especially to GaPSC. Kelli spent years doing her always excellent work hidden away

in a corner. In recent years we encouraged Kelli to take on the role of Assistant Division Director in charge of certification. She is doing a remarkable job of leading the very complex work of certification. Kelli puts in 60+ hour weeks; David Hill has been a complete failure in getting her to work a few hours less. Kelli apologizes when she requests a day of annual leave. She says this is just the way she is.

Kelli believes in developing talent. The certification division has a rigorous hiring process that is followed-up with extensive, ongoing training. It's no wonder our certification staff handle so many cases with so few errors.

Now you won't see Kelli in high heels; in fact, she often can be found barefooted in her office with several pairs of shoes nearby. Kelli is sometimes quiet in a large group and isn't particularly comfortable in front of groups. She doesn't seek the spotlight. Her concern is simply doing the job well and giving the credit to others on her staff. David has worked hard to find more and more opportunities for Kelli to deliver presentations and she has become an excellent presenter. People around the state have tremendous respect for Kelli's expertise, her patience in helping people understand, and her willingness to provide technical assistance. She is also loved and respected by everyone at GaPSC. She has an unbelievable work ethic, cares deeply about her colleagues, and believes strongly in the work we do.

Kelli is proud of her two children and becomes animated when she talks about ballgames, school plays, and funny things the kids do. She is the consummate mother. And when you meet her children, you realize they have been raised right.

Kelli has made time over the last couple of years to work on a doctorate in Creative Writing at Georgia State. She is writing her dissertation and in the next year will become Dr. Young. She writes poetry. If you read one of her poems you will need a reference library to understand the depth of her work. Her professors are encouraging her to publish some of the pieces she has written.

Clearly, Kelli is one of our best. We are fortunate to have her as a role model for other staff and fortunate for her excellent leadership in the Educator Preparation and Certification Division.

VII. COMMITTEE REPORTS

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

Chair Pam Walker of the Educator Ethics Review Committee (EERC), gave a preliminary review of the Cases.

1. Ms. Walker reported that the Committee reviewed 33 **Probable Cause** cases during its May 8, 2014, meeting and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>STANDARDS VIOLATED</u>	<u>RECOMMENDATION</u>
14-1-470	1	NPC
14-1-500	1, 10	Deny
07-9-274	1, 10	NPC
10-9-254	1, 10	Revoke

<u>CASE</u>	<u>STANDARDS VIOLATED</u>	<u>RECOMMENDATION</u>
12-12-565	2, 10	Revoke
12-12-594	2, 10	Revoke
13-1-646	4, 10	Suspension - 90 days
13-2-789	4,10	Suspension - 1 year
13-3-917	1, 10	Revoke
13-6-1168	3, 10, 11	Suspension - 90 days
13-7-20	4, 10, 11	Suspension - 2 years
13-7-39	2,10	Suspension - 90 days
13-7-40	2,10	Suspension - 1 year
13-9-180	1, 4, 9	Reprimand
13-10-255	8, 10	Suspension - 90 days
13-10-284	4,10	Revoke
13-11-340	2, 4, 10	Suspension - 2 years
13-11-341	2, 4, 10	Suspension - 90 days
13-11-360	1, 3, 10	Revoke
13-11-369	1,2,9,10	Revoke
13-12-395	3, 10	Suspension - 2 years
14-1-474	2,4,10	Revoke
14-1-491	10	Suspension - 90 days
14-1-492	4,10	Suspension - 20 days
14-2-508	5,10	Revoke
14-2-519	4,10,11	NPC
14-2-520	4,10	Suspension - 90 days
14-2-544	2, 10	Revoke
14-2-546	2,9,10	Suspension - 1 year
14-2-547	5, 10	Suspension - 5 days
14-2-549	10,11	Suspension - 90 days
14-2-554	4,10	Suspension - 1 year
14-2-555	4,5,10	Suspension - 90 days

2. Ms. Walker reported that the Educator Ethics Review Committee reviewed 2 *Petitions Issues* and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>PREVIOUS SANCTION</u>
14-1-462	Voluntary Surrender
14-1-465	Revocation

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

<u>CASE</u>	<u>SANCTION</u>	<u>EERC RECOMMENDATION</u>
13-2-780	Suspension - 90 days	Accept
13-6-1195	Suspension - 1 year	Accept
13-8-60	Revocation	Accept
13-9-149	Reprimand	Accept
13-12-428	Suspension - 90 days	Accept
14-1-504	Reprimand	Accept
14-1-486	Reprimand	Accept

4. Ms. Walker reported that the Educator Ethics Review Committee reviewed 21 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>NEGOTIATED SANCTION</u>	<u>EERC RECOMMENDATION</u>
09-11-545 11-9-369	Suspension - 2 years	Accept
11-8-144	Reprimand	Accept
11-8-147	Suspension - 90 days	Accept
11-8-179	Suspension - 60 days	Accept
11-9-375	Suspension - 1 year	Accept
11-9-422	Suspension - 60 days	Accept
12-3-974	Suspension - 15 days	Accept
12-7-86	NPC	Accept
12-7-166	Suspension - 40 days	Accept
12-7-183	Suspension - 40 days	Reject
12-12-610	Reprimand	Accept
13-3-845	Warning	Accept
13-4-998	Suspension - 90 days	Accept
13-7-32	Suspension - 1 year	Accept
13-7-46	Suspension - 30 days	Accept
13-9-147	Reprimand	Accept
13-9-157	Warning	Accept
13-9-221	Suspension - 65 days	Accept
13-11-311	NPC	Accept
13-11-337	Suspension - 10 days	Accept
13-12-434	Reprimand	Accept

5. **OTHER BUSINESS**

The Educator Ethics Review Committee recommended approval of the *Other Business Report* as follows:

<u>CASE</u>	<u>EDUCATOR</u>	<u>PREVIOUS SANCTION</u>	<u>EERC RECOMMENDATION</u>
PCE 14-3-638	Expand investigation		Expand

<u>CASE</u>	<u>EDUCATOR</u>	<u>PREVIOUS SANCTION</u>	<u>EERC RECOMMENDATION</u>
PCE 14-3-647	Expand investigation		Expand

6. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 88 new complaints received during the months of April and May 2014.

7. VOLUNTARY SURRENDER

The Educator Ethics Review Committee recommended approval of the Voluntary Surrender listed below in which an Educator/Applicant voluntarily accepted a sanction of Revocation or Denial prior to the submission of an investigative case summary for a Probable Cause Determination.

<u>CASE</u>	<u>STANDARDS VIOLATED</u>	<u>SANCTION</u>	<u>EERC RECOMMENDATION</u>
14-2-569	2, 10	Vol Surrender	Accept

8. EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS

The Educator Ethics Review Committee recommended approval of the 61 Extensions - Preliminary Investigative Determinations consisting of the following:

14-4-778	14-4-787	14-4-816	14-5-824	14-5-832	14-5-841	14-5-849	14-5-857
14-4-779	14-4-788	14-4-817	14-5-825	14-5-834	14-5-842	14-5-850	14-5-858
14-4-780	14-4-789	14-5-818	14-5-826	14-5-835	14-5-843	14-5-851	14-5-859
14-4-781	14-4-793	14-5-819	14-5-827	14-5-836	14-5-844	14-5-852	14-5-860
14-4-782	14-4-795	14-5-820	14-5-828	14-5-837	14-5-845	14-5-853	14-5-861
14-4-783	14-4-796	14-5-821	14-5-829	14-5-838	14-5-846	14-5-854	
14-4-784	14-4-799	14-5-822	14-5-830	14-5-839	14-5-847	14-5-855	
14-4-785	14-4-815	14-5-823	14-5-831	14-5-840	14-5-848	14-5-856	

9. EXTENSIONS - INVESTIGATIONS

The Educator Ethics Review Committee recommended granting and *Investigative Extension* to the following 157 cases:

<u>WRITTEN COMPLAINT EXTENSIONS</u>							
10-8-159	11-12-702	13-1-663	13-3-905	13-6-1202	13-8-123	13-12-373	14-1-477
10-9-331	12-2-896	13-1-679	13-3-907	13-6-1207	13-8-133	13-12-375	14-1-480
10-12-553	12-2-901	13-1-696	13-4-937	13-6-1209	13-9-143	13-12-376	14-1-483
10-12-562	12-3-1026	13-2-721	13-4-953	13-6-1210	13-9-192	13-12-377	14-1-484
11-8-130	12-4-1120	13-2-725	13-4-982	13-6-1226	13-9-193	13-12-378	14-1-490
11-8-200	12-4-1133	13-2-759	13-4-983	13-6-1229	13-9-194	13-12-379	14-1-493
11-9-284	12-4-1137	13-2-778	13-4-987	13-6-1230	13-9-217	13-12-388	14-2-512

WRITTEN COMPLAINT EXTENSIONS							
11-9-337	12-4-1140	13-2-788	13-4-1007	13-6-1231	13-9-229	13-12-406	14-2-516
11-9-343	12-7-72	13-3-832	13-4-1016	13-6-1234	13-10-239	13-12-408	14-2-527
11-9-355	12-7-81	13-3-838	13-5-1032	13-6-1239	13-10-279	13-12-417	14-2-531
11-9-392	12-7-111	13-3-841	13-5-1043	13-6-1241	13-10-287	13-12-423	14-2-532
11-9-398	12-7-112	13-3-854	13-5-1049	13-6-1244	13-10-294	13-12-424	14-2-534
11-9-399	12-8-263	13-3-859	13-5-1076	13-6-1247	13-11-305	13-12-425	14-2-543
11-9-402	12-8-264	13-3-861	13-5-1080	13-6-1249	13-11-307	13-12-426	14-2-548
11-9-455	12-11-530	13-3-865	13-5-1087	13-7-11	13-11-309	14-1-444	14-2-550
11-9-456	12-11-555	13-3-869	13-5-1112	13-7-21	13-11-312	14-1-446	14-2-552
11-9-457	12-12-561	13-3-878	13-6-1176	13-7-23	13-11-327	14-1-461	14-2-558
11-9-458	12-12-600	13-3-891	13-6-1178	13-7-36	13-11-356	14-1-469	
11-9-459	13-1-633	13-3-894	13-6-1184	13-7-54	13-11-361	14-1-472	
11-11-600	13-1-639	13-3-904	13-6-1199	13-8-56	13-11-370	14-1-473	

10. **APPLICATIONS FOR CERTIFICATION REPORT**

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 14 cases reflected on the *Applications for Certification Report*.

11. **FINAL DECISIONS BY OPERATION OF LAW**

The Commission reviewed the report, which advised of 6 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 Elkins called for approval of the Educator Ethics Review Committee report as presented by Pam Walker excluding case #'s 14-1-491, 14-2-554, 13-2-789 and 7-9-274.

PSC ACTION: Approved

Abstention: David Johnson – Case # 12-12-610, 13-6-1168, 13-12-395, 14-3-680 and 14-4-754, Julia Bernath – Case #'s 13-9-157, 14-3-664, Pam Walker – Case # 14-4-737, Scott Justus – Case #'s 12-12-594, 14-3-674, Bettina Polite-Tate – Case #'s 14-1-474, 14-2-549

Probable Cause Case # 14-1-491

MOTION: (Pam Walker / Bettina Tate) To accept the Educator Ethics Review Committee's recommendation for a 90 Day Suspension.

PSC ACTION: Approved

Opposed: Julia Bernath, Henry Kelly, Phil Jacobs, Dr. Adrian Epps

Probable Cause Case # 14-2-554

MOTION: (Julia Bernath / Phil Jacobs) To accept the Educator Ethics Review Committee's recommendation for a 1 Year Suspension.

PSC ACTION: Approved

Probable Cause Case # 13-2-789

MOTION: (Julia Bernath / Phil Jacobs) To reject the Educator Ethics Review Committee's recommendation for a 1 Year Suspension and issue a 2 Year Suspension.

6/20/2014

Page 8

PSC ACTION: Approved

Opposed: Bettina Tate, Terrie Ponder, Scott Justus, David Johnson, Pam Walker

Probable Cause Case # 7-9-274

MOTION: (Julia Bernath / Phil Jacobs) To reject the Educator Ethics Review Committee's recommendation for a No Probable Cause and issue a Reprimand.

PSC ACTION: Approved

Opposed: Henry Kelly

B. Educator Preparation Standing Committee

Committee Chair, Dr. Adrian Epps, presented the report of the Educator Preparation Standing Committee.

EPP Number	May 2014 Detailed Approval Recommendations	Additional Action Required
1. Piedmont College	For EPP 3130, the Progress Report submitted February 3, 2014, is satisfactory in addressing areas for improvement for Standard 1 (element) resulting from the Fall 2012 Continuing Apporval Review. The Committee recommends all areas for improvemnt may be removed.	No further action required

Chair Elkins called for approval of the Educator Preparation/Certification Committee report as presented by Chair Epps.

PSC ACTION: Approved

VIII. PRAXIS

Anne Marie Fenton presented the Setting the Passing Standard for Speech and Language Pathology for the Praxis.

MOTION: (Phil Jacobs / Sheryl Stalvey): To adopt the new Praxis Speech-Language Pathology test (5331) and set the passing score at a value equal to 162, the passing scaled score required by the American Speech-Language-Hearing Association, beginning with the September 2014 administration of the test.

PSC ACTION: Approved

IX. ADJOURNMENT

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

PSC ACTION: Approved