

MINUTES

PROFESSIONAL STANDARDS COMMISSION

Two Piedmont Avenue

Atlanta, Georgia

November 13, 2014

The Georgia Professional Standards Commission (PSC) met on Thursday, November 13, 2014, at 12:30 p.m.

Members Present

Dr. Jim Barrett	David Johnson	Carol Rivera
Lauren Eckman	Scott Justus	David Smith
Dr. Penny Elkins	Henry Kelly	Sheryl Stalvey
Dr. Adrian Epps	Valerie Mateen	Bettina Polite Tate
Phil Jacobs	Christy McGill	Dr. Lawrence Walters
		Pam Walker

Members Absent

Terrie Ponder	Kamila Luigs
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I. WORK SESSION

- A. Kelly Henson spoke briefly about the Commission retreat. He asked all Commissioners to email him with their availability in May and let him know of topics that they would like to hear about.
- B. The Ethics Modules and the Standard Setting for the Ethics Assessment- Anne Marie Fenton, Clyde Reese (ETS) and Janet Cook (ETS) took Commissioners through an overview of ethics assessment modules, including a demonstration of sample module components. In addition, detailed information about the results of the standard setting committee's work were provided. The Commission discussed the standard settings presented to them and requested that more information be given to them on why the passing score of 5 out of 12 for Module 6 was set.
- C. Dr. Penny Elkins spoke briefly about the following:
 - A letter was sent to the governor regarding Kelly Henson's evaluation. Dr. Elkins also met with the Governor and spoke about Kelly Henson's role as Executive Secretary at the GaPSC and his leadership.
 - There has been lots of discussion on CAEP standards. Georgia institutions are, like those in other states, being impacted by the transition from NCATE to CAEP. If you hear discussions among your colleagues or constituents about this transition and are asked questions, please send them to me or Adrian Epps. The Educator Preparation and Certification Committee discussed a number of issues related to the transition today. Educator Preparation staff members are working with a broadly representative task force to develop Georgia's new State Partnership Agreement which will guide our work with CAEP going forward. Updates will be provided in future meetings.

II. CALL TO ORDER

Chair Elkins called the meeting to order at 12:40 p.m. and led the Pledge of Allegiance to the U.S. flag and a moment of silence.

III. ADOPTION OF AGENDA

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Chair Dr. Elkins called for approval of the agenda.

MOTION: (Dr. Adrian Epps / Pam Walker) To approve the agenda.

PSC ACTION: Approved

IV. APPROVAL OF MINUTES

Chair Elkins called for approval of the minutes from the November 13, 2014, Commission meeting.

PSC ACTION: Approved

V. VISITORS

Chair Dr. Elkins welcomed the visitors.

- Carmen Hernandez, Office of Planning and Budget
- Bettina Davies, Professional Association of Georgia Educators
- Leonard Williams, Professional Association of Georgia Educators
- Julia Bernath, former Commissioner
- Pam Williams, former Commissioner
- Linda Fortson, Warren Fortson Law Office
- Clyde Reese, Educational Testing Service
- Jan Ruthven, Educational Testing Service
- Janet Cook, Educational Testing Service
- Tayia Donald, Georgia Association of Educators (GAE)

VI. RECOGNITION OF COMMISSIONERS

Chair Dr. Elkins and Kelly Henson thanked Julia Bernath and Pam Williams for their service and presented them with their photos. Julia Bernath served on the Commission since 2008 and served as Vice Chair of the Educator Preparation/Certification committee and Vice Chair of the Commission. Pam Williams served as Vice Chair of the Educator Ethics committee. Both Julia and Pam thanked the Commission for allowing them to serve.

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 35 ***Probable Cause*** cases during its November 13, 2014, meeting and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>STANDARDS VIOLATED</u>	<u>RECOMMENDATION</u>
14-6-1042	1	Warning
14-7-77	1	Reprimand
14-7-83	1	Deny
11-11-600	1,10	Revoke
13-2-725	2,9,10	NPC
13-6-1239	1, 4,5,10	Revoke
13-6-1249	1, 4, 5, 10	Revoke
13-7-36	2, 3,10	Revoke
13-9-143	2, 4, 10	Revoke
13-9-217	2, 10	Suspension - 20 days
13-12-426	1,2,4,10	Revoke
14-1-477	2, 10	Reprimand
14-2-527	4,10	Suspension - 1 year
14-2-550	4, 10	NPC
14-3-634	4,10	NPC
14-3-720	9,10	Suspension - 90 days
14-5-822	10	NPC
14-5-823	10	Revoke
14-5-834	4, 10, 11	Suspension - 90 days
14-5-882	9, 10	Suspension - 1 year
14-6-931	2,10	Revoke
14-6-953	2, 7, 10	Suspension - 60 days
14-7-39	1,4,9,10	NPC
14-7-45	1,4,9	Reprimand
14-7-50	3, 10	NPC
14-7-56	2,4, 10	Suspension - 20 days
14-7-89	1,2,9,10	Revoke
14-7-126	1,4,9	Suspension - 5 days
14-7-128	1,2,10	Suspension - 90 days
14-7-131	1, 10	Suspension - 1 year
14-7-132	1,4,9,10	Suspension - 30 days
14-8-145	2,10	Revoke
14-8-163	4,7,10	Suspension - 2 years
14-9-180	1, 4	Revoke
14-9-224	2,10	Suspension - 90 days

2. Ms. Walker reported that the Educator Ethics Review Committee reviewed 13 *Settlement Agreements* and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>SANCTION</u>	<u>RECOMMENDATION</u>
12-8-264	Suspension - 1 year	Accept
13-1-633	Reprimand	Accept
13-4-953	Suspension - 30 days	Accept
13-6-1229	Suspension - 1 year	Accept
13-7-23	Revocation	Accept
14-4-812	Reprimand	Accept
14-5-922	Suspension - 1 year	Accept
14-6-930	Suspension - 3 days	Accept
14-6-936	Suspension - 1 year	Accept
14-6-1062	Reprimand	Accept
14-7-1	Suspension - 1 year	Accept
14-7-12	Reprimand	Accept
14-7-127	Reprimand	Accept

3. Ms. Walker reported that the Educator Ethics Review Committee reviewed 23 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>NEGOTIATED SANCTION</u>	<u>RECOMMENDATION</u>
11-8-159	NPC	Accept
11-8-166	Suspension - 1 year	Accept
11-9-395	Suspension - 90 days	Accept
12-1-764	Suspension - 45 days	Accept
12-5-1234	Suspension - 1 year	Accept
12-10-419	Suspension - 3 years	Accept
12-10-441	Suspension - 2 years	Accept
12-11-552	Suspension - 2 years	Accept
13-1-650	Suspension - 2 years	Accept
13-1-704	Suspension - 1 year	Accept
13-5-1056	Reprimand	Accept
13-6-1178	Suspension - 2 years	Accept
13-8-121	Reprimand	Accept
13-10-294	Suspension - 20 days	Accept
13-11-340	Suspension - 2 years	Accept
14-1-459	Reprimand	Accept
14-1-460	Suspension - 90 days	Accept
14-1-496	Reprimand	Accept
14-2-546	Suspension - 45 days	Accept
14-2-549	Reprimand	Accept
14-3-586	Revocation	Accept
14-3-684	Reprimand	Accept

<u>CASE</u>	<u>NEGOTIATED SANCTION</u>	<u>RECOMMENDATION</u>
14-4-734	Suspension - 1 year	Accept

4. **OTHER BUSINESS**

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

<u>CASE</u>	<u>ORIGINAL SANCTION</u>	<u>PROPOSED SANCTION</u>	<u>EERC RECOMMENDATION</u>
NCO 10-12-558	Suspension - 20 days	Suspension - 10 days	Accept
PCE 13-5-1087	Service problem with Notice of Investigation (NOI)		Hold New App

5. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 65 new complaints received during the months of October and November 2014.

6. **VOLUNTARY SURRENDER**

The Educator Ethics Review Committee recommended approval of the 4 *Voluntary Surrenders* 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.

7. **EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS**

The Educator Ethics Review Committee recommended approval of the 39 Extensions - Preliminary Investigative Determinations consisting of the following:

14-10-297	14-10-302	14-10-354	14-10-362	14-10-367	14-11-372	14-11-377	14-11-382
14-10-298	14-10-303	14-10-357	14-10-363	14-10-368	14-11-373	14-11-378	14-11-384
14-10-299	14-10-304	14-10-359	14-10-364	14-11-369	14-11-374	14-11-379	14-11-385
14-10-300	14-10-305	14-10-360	14-10-365	14-11-370	14-11-375	14-11-380	14-11-386
14-10-301	14-10-353	14-10-361	14-10-366	14-11-371	14-11-376	14-11-381	

8. **EXTENSIONS - INVESTIGATIONS**

The Educator Ethics Review Committee recommended granting and *Investigative Extension* to the following 159 cases:

<u>WRITTEN COMPLAINT EXTENSIONS</u>							
11-8-130	12-7-112	13-6-1209	13-12-424	14-3-654	14-5-826	14-6-964	14-7-68
11-8-200	12-8-263	13-6-1226	13-12-425	14-3-655	14-5-829	14-6-969	14-7-69
11-9-337	12-11-530	13-6-1231	14-1-444	14-3-659	14-5-830	14-6-971	14-7-87
11-9-343	13-2-759	13-6-1241	14-1-473	14-3-660	14-5-838	14-6-1002	14-7-97
11-9-392	13-2-778	13-7-21	14-1-480	14-3-662	14-5-863	14-6-1003	14-7-107

WRITTEN COMPLAINT EXTENSIONS							
11-9-398	13-3-838	13-8-56	14-1-483	14-3-663	14-5-884	14-6-1018	14-7-108
11-9-399	13-3-865	13-9-192	14-1-490	14-3-680	14-5-891	14-6-1036	14-7-109
11-9-402	13-3-869	13-10-239	14-2-516	14-4-723	14-5-897	14-6-1037	14-7-121
11-9-455	13-3-878	13-10-279	14-2-558	14-4-737	14-5-898	14-7-15	14-7-123
11-9-456	13-3-891	13-11-312	14-2-568	14-4-744	14-5-903	14-7-22	14-7-135
11-9-457	13-3-894	13-11-327	14-2-570	14-4-752	14-5-905	14-7-38	14-8-136
11-9-458	13-4-983	13-11-356	14-2-575	14-4-757	14-5-909	14-7-49	14-8-139
11-9-459	13-4-1016	13-11-370	14-3-581	14-4-762	14-5-914	14-7-54	14-8-142
11-12-702	13-5-1032	13-12-373	14-3-583	14-4-766	14-6-938	14-7-61	14-8-149
12-2-896	13-5-1043	13-12-375	14-3-593	14-4-767	14-6-939	14-7-62	14-8-151
12-2-901	13-5-1049	13-12-376	14-3-594	14-4-772	14-6-940	14-7-63	14-8-156
12-3-1026	13-5-1076	13-12-377	14-3-633	14-4-778	14-6-942	14-7-64	14-8-157
12-4-1120	13-6-1176	13-12-379	14-3-635	14-4-785	14-6-943	14-7-65	14-8-160
12-4-1133	13-6-1199	13-12-408	14-3-644	14-5-818	14-6-944	14-7-66	14-8-164
12-7-111	13-6-1207	13-12-423	14-3-645	14-5-819	14-6-950	14-7-67	

9. 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*.

10. FINAL DECISIONS BY OPERATION OF LAW

The Commission reviewed the report, which advised of 19 cases now closed without an appeal for a hearing before an Administrative Law Judge. The report also advised that there were 10 cases 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 14-7-132, 14-7-77 and 14-6-1042.

PSC ACTION: Approved

Abstention: Henry Kelly and Scott Justus – all cases, Bettina Polite-Tate – 14-2-549, 14-9-269, 14-9-270, 14-9-271, 14-9-272, Jim Barrett – 14-10-294, 14-10-295, David Johnson – 14-9-255

Probable Cause Determination Case # 14-7-132

MOTION: (Dr. Adrian Epps / Phil Jacobs) To reject the EERC's recommendation of a 30 Day Suspension and to issue 90 Day Suspension.

PSC ACTION: Approved

Abstention: Henry Kelly, Scott Justus

Opposed: Sheryl Stalvey, Jim Barrett, Pam Walker, Valerie Mateen, Bettina Tate

Probable Cause Determination Case # 14-7-77

MOTION: (Bettina Tate / Lauren Eckman) To accept the EERC's recommendation of a Reprimand.

PSC ACTION: Approved

Abstention: Henry Kelly, Scott Justus

Opposed: Jim Barrett

Probable Cause Determination Case # 14-6-1042

MOTION: (Pam Walker / Valerie Mateen) To reject the EERC’s recommendation of a Warning and issue a Reprimand.

PSC ACTION: Approved

Abstention: Henry Kelly, Scott Justus

Opposed: Jim Barrett

B. Educator Preparation Standing Committee

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

EPP	November 2014 Detailed Approval Recommendations
Emmanuel College	The Progress Report submitted August 4, 2014, is satisfactory in addressing areas for improvement for Standard 1 (element a) from the Spring 2013 Continuing Approval review. The Committee recommends the area for improvement be removed.
Bartow County School System	The Committee recommends granting the request for deferral of the Fall 2014 Initial performance Approval Review.

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

PSC ACTION: Approved

Abstention: Henry Kelly, Scott Justus

VIII. GACE ETHICS ASSESSMENT

Anne Marie Fenton presented the standard setting for the GACE Ethics Assessment. Clyde Reese, ETS, gave the Commission more information on why the passing score of 5 out of 12 was set on Module 6. After more discussion, the Commission decided to change the motion from:

MOTION: Ethics Assessment – Program Exit:

- for Modules 3, 4, 5, and 7, the passing score is 9 (out of 12);
- for Module 6, the passing score is 6 (out of 12); and
- for the end-of-course (summative) test, the passing score is 23 (out of 32)

beginning with the January 2015 launch of the test.

To

MOTION: (Dr. Adrian Epps / Pam Walker) To formally establish the passing scores for Georgia Educator Ethics Assessment – Program Exit:

- for Modules 3, 4, 5, and 7, the passing score is 9 (out of 12);
- for Module 6, the passing score is 6 (out of 12); and
- for the end-of-course (summative) test, the passing score is 23 (out of 32)

beginning with the January 2015 launch of the test.

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PSC ACTION: Approved

Abstention: Henry Kelly, Scott Justus

IX. ADJOURNMENT

Chair Dr. Elkins called for the meeting to be adjourned at 1:55 p.m.

PSC ACTION: Approved