

MINUTES

PROFESSIONAL STANDARDS COMMISSION

Two Peachtree Street

Atlanta, Georgia

December 10, 2009

The Georgia Professional Standards Commission (PSC) met on Thursday, December 10, 2009, at 9 a.m.

Members Present

Penny Benton

Julia Bernath

Sallie Bullock

Marci Cawthon

Stephen Dartt

Penny Elkins

Joy Hawkins

Stephanie Haynes

David Johnson

Emily Jennette

Rose Powell

Dr. Craig Smith

Dr. Ed Smith

Jeanne Tucker

Dr. Debbie Wilkes

Members Absent

Dr. Hester Vasconcelos

Al George

Dr. Louisa Moffitt

I. CALL TO ORDER

Chair Wilkes 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. ADOPTION OF AGENDA

Chair Wilkes called for approval of the agenda.

MOTION: (Smith / Powell) To approve the agenda.

PSC ACTION: Approved

III. APPROVAL OF MINUTES

Chair Wilkes called for approval of the minutes from the November 12, 2009, 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
- Teresa Reese, Atlanta Public Schools
- Linda Lanier Fortson, Fortson Law Office
- Warren C. Fortson, Fortson Law Office
- Sara Hunt
- Borquay Thomas, Attorney
- Melinda North
- John Hooper, Georgia School Superintendents Association (GSSA)
- Lindsey Churchill, Atlanta Public Schools
- Kristina Torres, AJC

IV. EMPLOYEE SERVICE AWARDS

Chair Wilkes introduced and congratulated the employees listed below and gave them their Service awards. Kelly Henson read the following:

Kelli Young – 15 Years - Kelli was hired at PSC in November 1996 as one of two Evaluation and Information Specialists. The next year, she was promoted to supervise the call center staff. In 1998 she was promoted to an Evaluator Trainee and in 2000 she was promoted to Senior Evaluator. During agency reorganization in 2002, she was promoted to her present position as Certification Operations Manager. Prior to joining the PSC, Kelli worked in other Georgia State agencies. She began working with the State in April of 1992 with the Department of Corrections Engineering Division as a clerk. Kelli is a talented dedicated leader who has held each position in certification for which she now supervises. Her knowledge is reflected in her ability to train new staff and provide continuous support to all staff members. She is a valuable resource not only in the Certification Division but for all three divisions.

Kevin Shumake – 10 Years - Kevin Shumake started his career with the PSC in September 1999. Kevin received his Criminal Justice degree from The University of Georgia in the Spring - 1993. Prior to his employment with the PSC he worked for 9 years as a law enforcement officer with the Duluth and the University of Georgia Police Departments. Since he has been employed with the PSC he has distinguished himself as a valued member of the Ethics Division. Kevin is the lead investigator and is responsible for training the new investigators that are hired by the PSC. Kevin is assigned to handle some of the most difficult complaints that come to the Ethics Division. His efforts are immensely appreciated.

V. INDUCTION OF NEW COMMISSIONERS

Chair Wilkes and Kelly Henson welcomed the new commissioners listed below and swore them in:

Marci G. Cawthon, 48, Perry, Administrator Representative – Cawthon is the assistant principal of instruction at Bonaire Middle School. Before beginning her administrative career, she taught at Perry Middle School for twelve years. Cawthon earned a bachelor's degree from Georgia Southern University, a master's degree from Georgia Southwestern State University, and an education specialist degree from the University of Georgia. She and her husband, Deen, have two children.

Penny L. Elkins, 41, Conyers, Teacher Education Faculty Representative – Elkins is senior associate vice president – Atlanta Campus and the Regional Academic Centers of Mercer University. She also serves as associate dean, Fred L. Miles Chair of Educational Leadership, and professor of education in the Tift College of Education at Mercer University. Elkins earned a bachelor's degree and a master's degree from Mercer University, an education specialist degree from Georgia College & State University, and a Ph.D. from Georgia State University. She is married to Jason Elkins.

David W. Johnson, 57, Silver Creek, Local School Board Representative – Johnson is president of United Community Bank in Rome. He serves on the Floyd County Board of Education and is vice president of the Georgia School Board Association. He is a member of the Board of Directors of the Georgia Partnership for Excellence in Education, Hospital Authority of Floyd County, Floyd Medical Resource Board and is secretary/treasurer of the Development Authority of Floyd County. Johnson earned an associate's degree from Floyd Junior College, and a bachelor's degree and master's degree from Berry College. He and his wife, Cathy, have two children and one grandchild.

VI. COMMITTEE REPORTS

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

Commissioner Stephen Dartt of the Educator Ethics Review Committee (EERC), gave a preliminary review of the Cases.

1. Mr. Dartt reported that the Committee reviewed 47 *Probable Cause* cases during its December 9, 2009, meeting and brought the following recommendations on behalf of the Committee:

#	CASE #	STANDARDS VIOLATED	RECOMMENDATION
1	09-3-968	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	Extend Probable Cause Determination Until February 11, 2010 Letter of Intent
2	09-6-1376	Criminal Acts	Extend Probable Cause Determination Until February 11, 2010 Letter of Intent
3	09-8-151	Criminal Acts	Reprimand
4	09-8-158	Criminal Acts Professional Conduct Action Taken In Another State	Reprimand
5	09-8-162	Criminal Acts	Reprimand
6	09-8-167	Criminal Acts Professional Conduct Other Good and Sufficient Cause	
7	09-8-173	Misrepresentation or Falsification Public Funds and Property	Reprimand
8	09-8-177	Criminal Acts Misrepresentation or Falsification	Denial
9	09-8-244	Criminal Acts Misrepresentation or Falsification Action Taken in Another State	Denial
10	09-9-311	Criminal Acts Misrepresentation or Falsification	Reprimand
11	09-9-345	Criminal Acts O.C.G.A. 16-13-111	Suspend – 1 Year
12	09-9-347	Criminal Acts Misrepresentation or Falsification	Suspend – 10 Contract Days
13	09-9-350	Criminal Acts Failure to Make a Required Report	Suspend – 90 Contract Days

#	CASE #	STANDARDS VIOLATED	RECOMMENDATION
14	09-9-360	Criminal Acts	Reprimand
15	09-10-446	Criminal Acts O.C.G.A. 16-13-111	Reprimand
16	09-10-450	Action Taken in Another State	Reprimand
17	09-11-558	Criminal Acts	Reprimand
18	09-4-1064	Misrepresentation or Falsification Confidential Information Professional Conduct	Suspend – 10 Contract Days
19	09-4-1149	Misrepresentation or Falsification Public Funds and Property Professional Conduct	Suspend – 90 Contract Days
20	09-4-1175	Confidential Information Professional Conduct	Suspend – 90 Contract Days
21	09-5-1195	Misrepresentation or Falsification Confidential Information Professional Conduct	Suspend – 90 Contract Days
22	09-5-1208	Misrepresentation or Falsification Confidential Information Professional Conduct	Suspend – 1 Year
23	09-5-1253	Criminal Acts Professional Conduct O.C.G.A. 16-13-111	Suspend – 10 Contract Days
24	09-5-1274	Abuse of Students Professional Conduct	Suspend – 1 Year
25	09-6-1325	Abuse of Students Professional Conduct	Suspend – 5 Contract Days
26	09-7-3	Alcohol or Drugs Professional Conduct	No Probable Cause
27	09-7-20	Failure to Make a Required Report Professional Conduct	Suspend – 5 Contract Days
28	09-7-51	Abuse of Students Professional Conduct	Suspend – 90 Contract Days
29	09-7-87	Abuse of Students Professional Conduct	Suspend – 90 Contract Days
30	09-7-89	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct O.C.G.A. 16-13-111	Suspend – 3 Contract Days
31	09-7-94	Misrepresentation or Falsification Confidential Information Professional Conduct DOE Rule 160-3-1-.07 DOE Rule 160-3-1-.07 (4) (g)	Suspend – 1 Year
32	09-7-95	Misrepresentation or Falsification Confidential Information Professional Conduct DOE Rule 160-3-1-.07 DOE Rule 160-3-1-.07 (4) (g)	Suspend – 1 Year

#	CASE #	STANDARDS VIOLATED	RECOMMENDATION
33	09-7-100	Misrepresentation or Falsification Confidential Information Professional Conduct	Suspend – 90 Contract Days
34	09-7-105	Misrepresentation or Falsification Confidential Information Professional Conduct DOE Rule 160-3-1-.07 DOE Rule 160-3-1-.07 (4) (g)	Suspend – 1 Year
35	09-7-106	Misrepresentation or Falsification Confidential Information Professional Conduct DOE Rule 160-3-1-.07 DOE Rule 160-3-1-.07 (4) (g)	Suspend – 1 Year
36	09-7-124	Abuse of Students Professional Conduct Other Good and Sufficient Cause	Revocation
37	09-8-196	Criminal Acts Failure to Make a Required Report Professional Conduct DOE Rule 160-3-1-.07	Revocation
38	09-9-297	Alcohol or Drugs Professional Conduct	Suspend – 90 Contract Days
39	09-9-301	Public Funds and Property Professional Conduct	Suspend – 1 Year
40	09-9-313	Misrepresentation or Falsification Confidential Information Professional Conduct DOE Rule 160-3-1-.07 DOE Rule 160-3-1-.07 (4) (g)	Suspend – 1 Year
41	09-9-314	Misrepresentation or Falsification Confidential Information Professional Conduct DOE Rule 160-3-1-.07 DOE Rule 160-3-1-.07 (4) (g)	Suspend – 90 Contract Days
42	09-9-316	Misrepresentation or Falsification Confidential Information Professional Conduct DOE Rule 160-3-1-.07 DOE Rule 160-3-1-.07 (4) (g)	Suspend – 90 Contract Days
43	09-9-317	Abuse of Students Professional Conduct Other Good and Sufficient Cause	Revocation
44	09-9-332	Abuse of Students Professional Conduct	Suspend – 90 Contract Days
45	09-9-333	Abuse of Students Professional Conduct	Suspend – 90 Contract Days
46	09-9-338	Misrepresentation or Falsification Public Funds and Property Professional Conduct	Suspend – 1 Year
47	09-9-378	Abuse of Students Professional Conduct Other Good and Sufficient Cause	Denial

2. Mr. Dartt reported that the Educator Ethics Review Committee reviewed 3 *Initial Decisions* and brought the following recommendations on behalf of the Committee:

CASE #	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	ADMINISTRATIVE LAW JUDGE SANCTION	RECOMMENDATION
07-5-1333	Criminal Acts Professional Conduct	Revocation	Suspend - 1 Year	REVIEW
08-4-1213	Abuse of Students Public Funds and Property Professional Conduct	Suspend - 1 Year	Suspend - 3 Months	REVIEW
09-4-1118	Professional Conduct Action Taken in Another State	Denial	Denial	Accept

3. Mr. Dartt reported that the Educator Ethics Review Committee reviewed 1 *Petitions Issue* and brought the following recommendation on behalf of the Committee:

CASE NUMBER	REQUEST	PREVIOUS SANCTION	PREVIOUS VIOLATION	RECOMMENDATION
09-11-593	Right to Reapply	Revocation – 2004	Criminal Acts Abuse of Students Professional Conduct	Deny

4. Mr. Dartt reported that the Educator Ethics Review Committee reviewed 6 *Settlement Agreements* and brought the following recommendations on behalf of the Committee:

#	CASE NUMBER	SANCTION	RECOMMENDATION
1	06-5-1250	Suspension - 1 Year (Retro - May 1, 2006 - May 1, 2007)	Accept
2	09-5-1206	Denial	Accept
3	09-7-7	Suspension - 45 Contract Days (Dec. 14, 2009 - March 3, 2010)	Accept
4	09-7-46	Suspension - 45 Contract Days (Retro - April 27, 2009 - May 22, 2010)	Accept
5	09-7-121	Suspension - 45 Contract Days (Retro - Aug. 3, 2009 - Dec. 14, 2009)	Accept
6	09-8-183	Reprimand	Accept

5. Mr. Dartt reported that the Educator Ethics Review Committee reviewed 14 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee:

CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION	RECOMMENDATION
06-10-364	Alcohol or Drugs Professional Conduct	Revocation	Revocation (Retro - 8/21/2006)	Accept
06-12-665	Abuse of Students Professional Conduct	Revocation	Suspension - 1 Year (Retro - 3/1/07 - 3/1/08)	Accept
07-12-518	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct Action Taken In Another State	Revocation	Revocation	Accept
08-4-1087	Misrepresentation or Falsification Professional Conduct	Suspension - 90 Contract Days	Suspend - 45 Contract Days (Retro - 3/27/08 - 5/30/08)	Accept
08-4-1195	Criminal Acts Alcohol or Drugs Misrepresentation or Falsification Professional Conduct	Suspension - 1 Year	Suspension - 1 Year (Retro - 2/1/08 - 2/1/09)	Accept
08-5-1323	Public Funds and Property Professional Conduct	Suspension - 45 Contract Days	Suspend - 15 Contract Days (Retro - 7/28/09 - 8/18/09)	Accept
08-8-239	Misrepresentation or Falsification	Suspension - 20 Contract Days	Suspend - 20 Contract Days (Retro - 8/3/09 - 8/28/09)	Accept
09-1-793	Misrepresentation or Falsification Professional Conduct	Suspension - 1 Year	Suspension - 1 Year 12/28/09 - 12/28/10	Accept
09-3-1029	Alcohol or Drugs Professional Conduct	Suspension - 1 Year	Suspension - 142 Days (Part Retro-3/3/09 - 12/18/09)	Accept
09-4-1093	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	Revocation	Suspension - 3 Years 1/1/2010 - 1/1/2013	Accept
09-5-1193	Abuse of Students Misrepresentation or Falsification Professional Conduct Action Taken in Another State	Revocation	Suspension - 2 Years (Retro - 7/1/09 - 6/30/11)	REJECT
09-5-1275	Abuse of Students Professional Conduct	Suspension - 20 Contract Days	Suspend - 10 Contract Days (1/4/10 - 1/15/10)	Accept
09-6-1302	Criminal Acts	Reprimand	Reprimand	Accept
09-6-1393	Misrepresentation or Falsification Confidential Information Professional Conduct	Suspension - 1 Year	Suspension - 1 Year (Part Retro-10/6/09 - 10/5/09)	Accept

6. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 59 new complaints received during the months of October 2009 and November 2009.

7. **EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS**

The Educator Ethics Review Committee recommended approval of 32 *Extensions - Preliminary Investigative Determinations* consisting of the following:

#	CASE #	Complaint Received	#	CASE #	Complaint Received	#	CASE #	Complaint Received
1	09-11-525	10/30/2009	12	09-11-536	11/3/2009	23	09-11-547	11/5/2009
2	09-11-526	10/30/2009	13	09-11-537	11/3/2009	24	09-11-548	11/6/2009
3	09-11-527	10/30/2009	14	09-11-538	11/4/2009	25	09-11-549	11/6/2009
4	09-11-528	10/30/2009	15	09-11-539	11/4/2009	26	09-11-550	11/6/2009
5	09-11-529	10/30/2009	16	09-11-540	11/4/2009	27	09-11-551	11/6/2009
6	09-11-530	10/30/2009	17	09-11-541	11/4/2009	28	09-11-552	11/6/2009
7	09-11-531	10/30/2009	18	09-11-542	11/4/2009	29	09-11-553	11/9/2009
8	09-11-532	10/30/2009	19	09-11-543	11/5/2009	30	09-11-554	11/9/2009
9	09-11-533	11/2/2009	20	09-11-544	11/5/2009	31	09-11-555	11/9/2009
10	09-11-534	11/2/2009	21	09-11-545	11/5/2009	32	09-11-557	10/21/2009
11	09-11-535	11/2/2009	22	09-11-546	11/5/2009			

8. VOLUNTARY SURRENDERS/VOLUNTARY DENIALS

The Educator Ethics Review Committee recommended approval of 3 *Voluntary Surrender/Voluntary Denials* consisting of the following:

#	Case Number	STANDARDS VIOLATED	SANCTION
1	09-9-304	Abuse of Students Professional Conduct	Revocation
2	09-9-339	Abuse of Students Professional Conduct	Revocation
3	09-9-367	Criminal Acts Abuse of Students Professional Conduct	Revocation

9. EXTENSIONS - INVESTIGATIONS

The Educator Ethics Review Committee recommended granting and *Investigative Extensions* to the following 47 Written Complaints and 10 Application cases:

WRITTEN COMPLAINT EXTENSIONS:

09-6-1382	09-7-116	09-8-212	09-9-376	09-5-1280	09-9-310	09-7-56	09-9-312	09-7-101	09-7-11
09-9-315	09-7-117	09-9-299	09-9-377	09-6-1321	09-7-24	09-7-57	09-9-334	09-6-1334	09-8-220
09-5-1277	09-7-123	09-9-328	08-12-671	09-6-1368	09-7-35	09-7-58	09-9-335	09-6-1357	
09-6-1315	09-8-200	09-9-329	09-5-1248	09-6-1384	09-7-39	09-7-125	09-9-366	09-6-1360	
09-7-30	09-8-210	09-9-331	09-5-1250	09-9-309	09-7-55	09-8-226	09-7-99	09-6-1401	

APPLICATION CASE EXTENSIONS:

09-8-176	09-8-243	09-9-346	09-9-380
09-8-136	09-8-245	09-9-354	
09-8-172	09-9-341	09-9-359	

10. APPLICATIONS FOR CERTIFICATION REPORT

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 5 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 November 12, 2009 through December 10, 2009. There were 6 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 6 cases now closed without an appeal for a hearing before an Administrative Law Judge. The report also advised that there were 3 cases 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 Chair Dartt with clarification given on probable cause case # 09-7-124 where the educator surrendered his certificate the day of the Educator Ethics Review Committee meeting. The Commission accepted the voluntary surrender in lieu of a probable cause finding.

PSC ACTION: Approved

Abstention: Julia Bernath-Probable Cause Cases 09-7-94 and 09-7-95 Joy Hawkins-Probable Cause Cases 09-7-105, 09-7-106, 09-9-313, 09-9-314 and 09-9-316.

B. Educator Preparation Standing Committee

Committee Chair, Dr. Craig Smith presented the report of the Educator Preparation Standing Committee.

Agency/Institution	Approval Recommendation
Agnes Scott College	The Commission determined that progress is satisfactory in addressing preparations for the spring 2010 PSC Continuing Review.
Brewton-Parker College	<p>The Commission granted Developmental Approval for the Early Childhood Education (P-5; Initial; B.S. and Certification only), English Education (6-12; Initial; B.S. and Certification only), History Education (6-12; Initial; B.S. and Certification only), Mathematics Education (6-12; Initial; B.S. and Certification only), Middle Grades Education (4-8; Initial; B.S. and Certification only), Music Education (P-12; Initial; B.Mus. and Certification only), and Science Education (9-12; Initial; B.S. and Certification only) preparation programs.</p> <p>A Progress Report is due June 30, 2010, addressing Standard 2, Standard 5 and Standard 6 areas for improvement cited in the BOE Report from the April 2009 PSC</p>

Agency/Institution	Approval Recommendation
	Probationary On-site Review. The Progress Report should also address the Standard 7 area for improvement cited for the Music preparation program.
Clayton State University	The Commission granted Developmental Approval for the Secondary English Education (9 – 12, initial; B.A.), Secondary History Education (9 – 12, initial; B.A.), Secondary Math Education (9 – 12, initial; B.S.), Secondary Science Education (9 – 12, initial; B.S.), Secondary English Education (9 - 12, initial; M.A.T.), and Secondary Math Education (9 - 12, initial; M.A.T.) preparation programs.
Georgia Southwestern State University	The Commission granted Developmental Approval for the Music preparation program.
Okefenokee RESA	The Commission granted Developmental Approval for the GaTAPP program. A Progress Report is due June 30, 2010, addressing Standard 2 and Standard 6 areas for improvement cited in the BOE Report from the September 2009 Developmental Approval Review.
Savannah College of Art and Design	The Commission granted Initial Performance Approval for the Professional Education Unit and the Art Education (P-12; Initial; M.A.T.) and the Drama Education (P-12; Initial; M.A.T.) preparation programs.

Chair Wilkes called for approval of the Educator Preparation Committee report as presented by Chair Smith.

PSC ACTION: Approved

VI. EXECUTIVE SECRETARY REPORT

The Executive Secretary presented the following:

A. Our holiday lunch will be held on Thursday, December 17th at 12 noon and all commissioners are invited to attend. We are also participating in Toys for Tots and are requesting that everyone bring a new unwrapped toy.

B. Kelly informed the commission that he would be giving them periodic updates electronically on what is happening in the General Assembly. The budget will most likely dominate the session. Depending on timing, Race To The Top submissions have the ability to be a dominate player in the legislative session. Some topics that have been reviewed in the past might surface again i.e. the Braille Bill, IE² Bill, School Board Governance Bill.

C. Rick Eiserman introduced rules to initiate and adopt.

MOTION: (Craig Smith / Hawkins) To (1) repeal the current rules in Chapter 505-2 Certification, effective January 15, 2010, as follows: 505-2-.155 and 505-2-.156; (2) initiate the current rules in Chapter 505-2 Certification, effective January 15, 2010, as follows: 505-2-.155 and 505-2-.156; (3) amend the current rules in Chapter 505-2 Certification, effective January 15, 2010, as follows: 505-2-.02, 505-2-.12 and 505-2-.150.

ACTION: Approved

MOTION: (Benton / Bernath) To (1) repeal the current rules in Chapter 505-3 Educator Preparation, effective

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January 15, 2010, as follows: 505-3-.68 and 505-3-.69; and (2) initiate the current rules in Chapter 505-3 Educator Preparation, effective January 15, 2010, as follows: 505-3-.68 and 505-3-.69.

ACTION: Approved

D. Rick Eiserman gave the new commissioners their PSC handbook. He gave the other commissioners updated information for them to place in their handbooks.

E. Ann Marie Fenton gave a brief presentation on GACE Computer Based Testing.

F. Kelly spoke briefly on the status of Race to the Top. One of the focal points in Georgia's application is reforming the compensation system for educators. We have been notified that Georgia could receive as much as 400 million dollars with a successful application. This funding would be in the range of four to five years. Only 15-20 states will receive this funding. The awards will be given in April. Kelly will make sure that the commissioners will have a copy of our submission when it is made available.

VII. REVIEW HEARINGS

- | | |
|------------------|-------------------------------|
| 1. Melinda North | - Educator (Case # 08-5-1319) |
| Joan Roach | - Hearing Officer |
| Rebecca Mick | - PSC Attorney |
| Thomas Borquaye | - Attorney |

MOTION: (Jennette / Bernath) To go into Executive Session and allow PSC staff (Gary Walker and Tanis Miller) to remain.

ACTION: Approved

MOTION: (Craig Smith / Benton) To come out of Executive Session and reconvene the Regular Session.

ACTION: Approved

MOTION: (Bernath / Ed Smith) To adopt the Findings of Fact and Conclusions of Law reached by the Administrative Law Judge. The Commission also adopted the sanction recommended by the Administrative Law Judge. For these reasons, the Commission ordered that the certificate held by Melinda North be suspended for a period of thirty (30) days to begin on January 4, 2010 and shall conclude on February 19, 2010.

PSC ACTION: Approved

Opposed: Stephen Dartt

- | | |
|-------------------|------------------------------|
| 2. Sara Beth Hart | - Educator (Case # 08-8-135) |
| Joan Roach | - Hearing Officer |
| Rebecca Mick | - PSC Attorney |
| Alan Lowe | - Attorney |

MOTION: (Benton / Haynes) To go into Executive Session and allow PSC staff (Gary Walker and Tanis Miller) to remain.

ACTION: Approved

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MOTION: (Craig Smith / Johnson) To come out of Executive Session and reconvene the Regular Session.

ACTION: Approved

MOTION: (Dartt / Craig Smith) To adopt the Findings of Fact and Conclusions of Law reached by the Administrative Law Judge. The Commission rejected the sanction recommended by the Administrative Law Judge. After reviewing the record of the hearing in this matter, the Commission concluded that the particular facts and circumstances as supported by the evidence warrants a sanction. For these reasons, the Commission ordered that the certificate held by Sara Beth Hart be reprimanded.

PSC ACTION: Approved

Opposed: Julia Bernath, Emily Jennette, Rose Powell, Joy Hawkins, Penny Benton, Marci Cawthon, Stephanie Haynes

VIII. CHAIR'S REPORT

Chair Wilkes announced that our next Commission meeting will be held on Thursday, January 14th at 9 a.m. in the 5th floor boardroom.

IX. ADJOURNMENT

Chair Wilkes called for the meeting to be adjourned at 12:25 p.m.

PSC ACTION: Approved