

MINUTES

**PROFESSIONAL STANDARDS COMMISSION
2 Peachtree Street
29th Floor, DHR Boardroom
Atlanta, Georgia
February 10, 2005**

The Georgia Professional Standards Commission (PSC) met on Thursday, February 10, 2005, at 9 a.m.

Members Present

Gary Bechtel	Dr. Louisa Moffitt	Dr. Craig Smith
Steven Dartt	Lee Muns	Sandra Thompson
Jean Ebron	Dr. Mary Outlaw	Dr. Wanda West
Mary Gomez	Dr. Holly Robinson	Dr. Debbie Wilkes
Maria Miller	Bo Slack	

Members Absent

Terri DeLoach	Amy Denty
Carolyn Lee Hart	

I. CALL TO ORDER

Lee Muns called the meeting to order at 9:05 a.m. and led the Pledge of Allegiance to the U.S. flag and a moment of silence.

II. RECOGNITION OF VISITORS

Lee Muns recognized the visitors.

- Michelle Pollok, Georgia Association of Educators (GAE)
- Gayle Wooten, Professional Association of Georgia Educators
- Gerald Cole
- John Hooper, GA School Superintendents Association
- C. Victor Long, Attorney

III. ADOPTION OF AGENDA

Lee Muns called for approval of the agenda.

MOTION: (Slack / Robinson) To approve agenda.

PSC ACTION: Approved

IV. APPROVAL OF MINUTES

Lee Muns called for approval of the minutes from the January 13, 2005, Commission meeting.

PSC ACTION: Approved

V. COMMITTEE REPORTS

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

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

1. Mr. Slack reported that the Committee reviewed 57 *Probable Cause* cases during its February 9, 2005, meeting and brought the following recommendations on behalf of the Committee:

PC #	Case Number	STANDARD(S)	EERC Recommendation
1	04-08-229 PR	Abandonment of Contract	Suspension for Six Months
2	04-11-680 PR	Abandonment of Contract	No Probable Cause
3	04-11-681 PR	Abandonment of Contract	Suspension for Six Months
4	04-12-817 PR	Abandonment of Contract	No Probable Cause
5	04-09-356	Abuse of Students Professional Conduct	Suspension for One Year
6	04-10-574 PR	Abuse of Students Criminal Acts Professional Conduct	Suspension for One Month
7	04-11-636 PR	Abuse of Students Professional Conduct	Suspension for One Year
8	04-11-647 PR	Abuse of Students Professional Conduct	Suspension for Six Months
9	04-11-650 PR	Abuse of Students Professional Conduct	Suspension for Three Months
10	04-08-209 PR	Criminal Acts Failure to Make a Required Report Misrepresentation or Falsification Professional Conduct	Revocation
11	04-10-438 Applicant	Criminal Acts Professional Conduct	Reprimand
12	04-10-439 PR	Criminal Acts	Revocation
13	04-10-520 PR	Criminal Acts	No Probable Cause
14	04-10-530 Applicant	Criminal Acts	Warning
15	04-10-550 PR	Criminal Acts Professional Conduct	Revocation

PC #	Case Number	STANDARD(S)	EERC Recommendation
16	04-10-590 Applicant	Criminal Acts	Reprimand
17	04-11-649 PR	Criminal Acts Professional Conduct	Revocation
18	04-11-661 Applicant	Criminal Acts	Reprimand
19	04-11-664 Applicant	Criminal Acts	Denial
20	04-09-292 PR	Failure to Make a Required Report Criminal Acts	Reprimand
21	04-09-309 PR	Misrepresentation or Falsification Professional Conduct	Suspension for Six Months
22	04-10-497 PR	Misrepresentation or Falsification Criminal Acts	No Probable Cause
23	04-10-539 PR	Misrepresentation or Falsification Failure to Make a Required Report	Reprimand
24	04-10-540 PR	Misrepresentation or Falsification Failure to Make a Required Report	Warning
25	04-10-592 PR	Misrepresentation or Falsification Criminal Acts	Warning
26	04-10-600 PR	Failure to Make a Required Report Misrepresentation or Falsification	Revocation
27	04-11-655 PR	Misrepresentation or Falsification Failure to Make a Required Report	Warning
28	04-11-658 PR	Misrepresentation or Falsification Failure to Make a Required Report	Warning
29	04-11-701 PR	Misrepresentation or Falsification	No Probable Cause
30	04-11-702 PR	Misrepresentation or Falsification	No Probable Cause
31	04-11-703 PR	Misrepresentation or Falsification	No Probable Cause
32	04-12-721 PR	Misrepresentation or Falsification Public Funds and Property Criminal Acts	Suspension for Two Years
33	04-06-1809 PR	Professional Conduct Professional Conduct	Suspension for One Month
34	04-09-319 PR	Professional Conduct	Reprimand
35	04-09-320 PR	Professional Conduct	Reprimand
36	04-09-357 PR	Professional Conduct	Suspension for One Month

PC #	Case Number	STANDARD(S)	EERC Recommendation
37	04-10-517 PR	Professional Conduct	Warning
38	04-10-554 PR	Professional Conduct	Suspension for One Year
39	04-10-555 PR	Professional Conduct	No Probable Cause
40	04-10-578 PR	Professional Conduct	No Probable Cause
41	04-10-607 PR	Professional Conduct	Reprimand
42	04-11-645 PR	Professional Conduct	Reprimand
43	04-11-683 PR	Professional Conduct	Suspension for One Week
44	04-11-688 PR	Professional Conduct	Suspension for One Week
45	04-11-689 PR	Professional Conduct	Reprimand
46	04-11-690 PR	Professional Conduct	Reprimand
47	04-11-691 PR	Professional Conduct	Warning
48	04-11-694 PR	Professional Conduct	Reprimand
49	04-11-698 PR	Professional Conduct	No Probable Cause
50	04-11-704 PR	Professional Conduct	No Probable Cause
51	04-12-718 PR	Professional Conduct Misrepresentation or Falsification	Reprimand
52	04-12-719 PR	Professional Conduct Public Funds and Property	Revocation
53	04-12-722 PR	Professional Conduct	Reprimand
54	04-10-423 PR	Public Funds and Property Professional Conduct	Reprimand
55	04-11-653 PR	Public Funds and Property Professional Conduct	Revocation
56	04-11-697 PR	Public Funds and Property Professional Conduct Criminal Acts	Suspension for One Week
57	04-11-706 PR	Public Funds and Property Professional Conduct	Suspension for One Month

PSC ACTION: Approved

Abstention: Sandra Thompson – Case # 15, Jean Ebron – Case # 34 & 35, Stephen Dartt – Case # 54, Wanda West-Case # 15

2. Mr. Slack reported that the Educator Ethics Review Committee reviewed 6 *Initial Decisions* and brought the following recommendations on behalf of the Committee:

Case Number	Probable Cause Ethical Violation	ALJ Initial Decision	EERC Recomm.
03-12-397 Ekuka	Professional Conduct	Suspension for Six Months	Review
03-11-784 Eisel	Alcohol or Drugs Professional Conduct	Suspension for Two Years (Educator Withdrew Request)	Accept
02-08-405 Wright	Criminal Acts Professional Conduct	Denial	Accept
04-02-1164 David	Criminal Acts Misrep. & Falsification Failure to Report	Warning	Accept
03-11-806 Davis	Misrep. & Falsification Professional Conduct	Suspension for Two Years	Accept
04-13-1215 Jackson	Misrep. & Falsification Failure to Report	No Probable Cause	Review

PSC ACTION: Approved

3. Mr. Slack reported that the Educator Ethics Review Committee reviewed 4 *Petitions Issues* and brought the following recommendations on behalf of the Committee:

Case Number	Nature of Petition	Previous Decision (Violation)	EERC Recomm.
04-10-545	Right to Reapply	Revocation - June 7, 2001 (Abuse of Students)	Deny
03-12-827	Motion for Stay	Revocation - Jan. 13, 2005 (Action Taken In Another State; Failure to Make a Required Report; Misrepresentation or Falsification)	Deny
04-5-1559	Right to Reapply	Revocation - Oct. 5, 2000 (Criminal Acts)	Grant
04-7-140	Right to Reapply	Revocation - March 14, 1985 (Criminal Acts)	Deny

PSC ACTION: Approved

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

Case Number	Sanction	Violation	EERC Recomm.
04-9-304	Warning	Criminal Acts; Misrepresentation or Falsification; Failure to Make a Required Report	Accept
04-9-358	Suspension - One Month	Criminal Acts; Professional Conduct	Accept
04-9-377	Suspension -Three Months	Criminal Acts; Failure to Make a Required Report	Accept
04-9-383	Warning	Criminal Acts; Misrepresentation or Falsification	Accept
04-9-394	Suspension - Six Months	Abandonment of Contract	Accept
04-9-400	Suspension - Six Months	Professional Conduct, Misrepresentation or Falsification	Accept
04-10-422	Suspension - Six Months	Abandonment of Contract	Accept
04-10-444	Reprimand	Alcohol or Drugs; Professional Conduct	Accept
04-10-446	Reprimand	Misrepresentation or Falsification	Accept
04-10-476	Warning	Criminal Acts; Misrepresentation or Falsification	Accept
04-10-496	Warning	Misrepresentation or Falsification; Failure to Make a Required Report	Accept
04-10-526	Warning	Criminal Acts; Failure to Make a Required Report	Accept
04-10-537	Reprimand	Misrepresentation or Falsification; Failure to Make a Required Report	Accept
04-10-576	Revocation	Abuse of Students; Professional Conduct	Accept

PSC ACTION: Approved

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

Case Number	Violation	Negotiated Proposal	EERC Recomm.
04-5-1594	Criminal Acts; Professional Conduct	Suspension for One Year	Accept
03-12-823	Abandonment of Contract: Refusal to Perform Duties Professional Conduct	Suspension for One Month	Reject
04-01-1093	Misrepresentation or Falsification Professional Conduct	Reprimand	Reject
04-03-1292	Alcohol or Drugs Professional Conduct	Suspension for Six Months	Accept
03-02-1676	Professional Conduct	Suspension for One Month	Accept

PSC ACTION: Approved

Abstention: Jean Ebron – Case # 3

6. **OTHER BUSINESS**

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

Case Number	DESCRIPTION	EERC Recomm.
04-7-8	School System Request for Special Consideration	Deny

PSC ACTION: Approved

7. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative*

Determination Report consisting of 117 new complaints received during the months of January and February 2005:

PSC ACTION: Approved

8. **EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS**

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

Case Number	Case Number	Case Number	Case Number	Case Number	Case Number	Case Number
05-1-922	05-1-950	05-1-960	05-1-1036	05-1-1046	05-1-1056	05-1-1066
05-1-946	05-1-951	05-1-961	05-1-1037	05-1-1047	05-1-1057	05-1-1067
05-1-946	05-1-951	05-1-962	05-1-1038	05-1-1048	05-1-1058	
05-1-947	05-1-953	05-1-963	05-1-1039	05-1-1049	05-1-1059	
05-1-947	05-1-953	05-1-964	05-1-1040	05-1-1050	05-1-1060	
05-1-948	05-1-954	05-1-965	05-1-1041	05-1-1051	05-1-1061	
05-1-948	05-1-955	05-1-966	05-1-1042	05-1-1052	05-1-1062	
05-1-949	05-1-957	05-1-967	05-1-1043	05-1-1053	05-1-1063	
05-1-949	05-1-958	05-1-968	05-1-1044	05-1-1054	05-1-1064	
05-1-950	05-1-959	05-1-1035	05-1-1045	05-1-1055	05-1-1065	

PSC ACTION: Approved

9. **EXTENSIONS - INVESTIGATIONS**

The Educator Ethics Review Committee recommended granting and *Investigative Extension* to the following 75 cases:

Case Number	Case Number	Case Number	Case Number	Case Number	Case Number	Case Number	Case Number
04-8-224	04-11-709	04-11-652	04-12-726	05-01-838	05-01-862	05-01-878	05-01-903
04-8-225	04-8-193	04-11-677	05-01-818	05-01-839	05-01-863	05-01-881	05-01-909
04-10-570	04-10-571	04-11-678	05-01-819	05-01-840	05-01-864	05-01-882	05-01-910
04-10-575	04-11-632	04-11-696	05-01-820	05-01-845	05-01-866	05-01-883	05-01-912
04-11-673	04-11-699	04-11-700	05-01-822	05-01-846	05-01-867	05-01-884	05-01-915
04-11-695	04-12-723	04-11-711	05-01-824	05-01-849	05-01-871	05-01-887	
04-11-685	04-9-333	04-10-499	05-01-825	05-01-852	05-01-872	05-01-889	
04-9-334	04-10-547	04-10-516	05-01-826	05-01-856	05-01-873	05-01-891	
04-10-441	04-10-551	04-11-667	05-01-829	05-01-860	05-01-874	05-01-893	
04-10-606	04-11-633	04-11-670	05-01-833	05-01-861	05-01-877	05-01-898	

PSC ACTION: Approved

10. **APPLICATIONS FOR CERTIFICATION REPORT**

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 65

3/15/2005

Page 8

cases reflected on the *Applications for Certification Report*.

PSC ACTION: Approved

11. REVIEW HEARING EXTENSIONS

The Commission reviewed the *Review Hearing Extensions Report* concerning 6 hearing cases. An Administrative Law Judge rendered Initial Decisions on each case referenced in the report. The report indicates Orders were issued.

PSC ACTION:

12. STUDENT LOAN SUSPENSION / REINSTATEMENTS

The Commission reviewed the report, which indicated that there were no certificates suspended from **January 13, 2005 until February 10, 2005**. There were 4 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 12 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.

VI. REVIEW HEARINGS

- | | |
|----------------|--|
| 1. Gerald Cole | - Educator (Case # 03-4-2059 & 03-9-403) |
| Wayne Magnum | - Hearing Officer |
| Rebecca Mick | - PSC Attorney |
| C. Victor Long | - Attorney |

MOTION: (Slack / Thompson) To go into Executive Session and allow PSC staff and attorney (Gary Walker, Penny Hannah, and Lisa Hartzler) to remain.

ACTION: Approved

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

ACTION: Approved

MOTION: (Miller / Ebron) To adopt the Findings of Fact, Conclusions of Law and Decision reached by the Administrative Law Judge.

PSC ACTION: Approved

Opposed: Mary Gomez, Gary Bechtel

VII. EXECUTIVE SECRETARY REPORT

The Executive Secretary presented the following:

3/15/2005

Page 9

A. NASDTEC (National Association of State Directors of Teacher Education and Certification) Interstate Agreement – An Agreement (not a binding contract) between jurisdictions to recognize comparability of selected, professional certification/licensure. This agreement is renewed every five years.

MOTION: (West / Thompson) The Professional Standards Commission to re-sign the Interstate Agreement with all states, the District of Columbia and the DOD Educational Activity for traditional and alternative routes in all categories.

ACTION: Approved

B. A map of Georgia was given to the commissioners highlighting the areas where commissioners reside.

C. Information about the National Board of Certified Teachers and the systems in which they are employed was distributed. Dr. Toth informed the commissioners that legislation was considering an amendment to Senate Bill 34, which will require the National Board of Certified Teachers be employed in high needs schools to continue receiving their 10% bonus.

D. Approval of Revised Praxis Scores Based on Score Review – Cathy Smiley, Education Staff Specialist, distributed information on the new revised Praxis scores. Educational Testing Services recommends that scores be reviewed every 5-7 years. PSC convened panels of practicing Georgia teachers and teacher-educators to review and recommend scores for sever Praxis tests.

MOTION: (Slack / West) To approve the new recommended scores for the Praxis tests.

ACTION: Approved

Effective March 15, 2004, PSC passed new certification rules. One of the new rules allows individuals who hold clear renewable certificates in teaching fields, to pass Praxis II tests to add other teaching fields to their certification. New certification rules and NCLB make it necessary to provide many alternatives to becoming certified and highly qualified. An “assessment alternative” gives teachers another option to show that they are “highly qualified” as well as fully certified. PSC convened panels of practicing Georgia teachers and teacher-educators for the purpose of reviewing and setting scores for several new Praxis tests. A passing score was defined as the minimum score that a candidate needs to achieve on the test in order to meet Georgia requirements. The passing score reflect the minimum level of knowledge and/or skills that an entry-level teacher needs to demonstrate in order to be considered ready to engage in professional practice.

MOTION: (Dartt / Slack) To approve the new recommended scores for the Praxis tests to be effective July 1, 2005 as follows and for these scores to be reviewed again after 2 years:

Required Tests	Effective Date: July 1, 2005
0910 Economics	540
0360 English to Speakers of Others Languages (ESOL)	500
0920 Geography	570
0941 Worlds and United States History: Content Knowledge	148
0201 Reading Across the Curriculum – Elementary	157
0201 Reading Across the Curriculum – Secondary (Validated for Secondary Teachers)	158
0511 Special Education: Fundamental Subjects Content Test	141

3/15/2005

Page 10

ACTION: Approved

VIII. CHAIRPERSONS REPORT

Dr. Toth thanked the commissioners that attended the Education Senate Committee meeting to support the Master Teacher legislation (Senate Bill 34).

IX. ADJOURNMENT

MOTION: (Ebron / Gomez) To adjourn the meeting.

PSC ACTION: The meeting adjourned at 11:00 a.m.