

MINUTES

PROFESSIONAL STANDARDS COMMISSION

2 Peachtree Street
5th Floor, PSC Boardroom
Atlanta, Georgia
February 14, 2008

The Georgia Professional Standards Commission (PSC) met on Thursday, February 14, 2008, at 9 a.m.

Members Present

| | | |
|----------------|--------------------|-------------------|
| Maria Bradley | Maria Miller | Rose Powell |
| Sallie Bullock | Lee Muns | Dr. Craig Smith |
| Stephen Dartt | Dr. Louisa Moffitt | Jeannie Tucker |
| Jean Ebron | Dr. Mary Outlaw | Dr. Debbie Wilkes |

Members Absent

| | |
|--------------------|-----------------|
| Gary Bechtel | Pamela Greenway |
| Hester Vasconcelos | Emily Jennette |
| Dr. Wanda West | |

I. CALL TO ORDER

Chair Wilkes called the meeting to order at 9:00 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: (Muns / Powell) To approve agenda.

PSC ACTION: Approved

III. APPROVAL OF MINUTES

Chair Wilkes called for approval of the minutes from the January 10, 2008, Commission meeting.

PSC ACTION: Approved

IV. RECOGNITION OF VISITORS

Chair Wilkes recognized the visitors.

- Margaret Elliott, Professional Association of Georgia Educators
- Gayle Wooten, Professional Association of Georgia Educators
- Bill Ware, Georgia Association of Colleges for Teacher Educators
- Alexa North, University of West Georgia
- Fran Swantic, Lincoln Memorial University
- Sandra Thompson, Former Commissioner/University of West Georgia
- Wanda Lynn, Georgia Association of Educators (GAE)
- Sahvondra Averett, Georgia Association of Educators
- Helen Cole, Lincoln Memorial University

V. EMPLOYEE RECOGNITION AWARDS

Chair Wilkes presented Jerry Eads with a 5 Year Service Award and thanked him. Kelly Henson also thanked Jerry and spoke briefly about his service with the state of which the last 3 years have been with the Professional Standards Commission. Jerry has a broad understanding and knowledge of research and data analysis in P-12

education, with particularly strong experience in assessment. We appreciate his work and look forward to his leadership in expanding our research efforts.

VI. COMMISSIONER RECOGNITION AWARD

Chair Wilkes presented Mary Gomez with her picture that hung in our boardroom. She thanked her for her service as a commissioner and for serving as the Chair of the Educator Preparation Committee. Kelly Henson presented Ms. Gomez with a picture of the capitol and thanked her for her service. The inscription on the back of the picture read:

Presented to Mary Gomez as a token of deep appreciation for her leadership and dedicated service as a Commissioner to the Professional Standards Commission from August 2001 through November 2007.

VII. COMMITTEE REPORTS

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

Commissioner Maria Miller, gave a preliminary review of the Cases.

1. Ms. Miller reported that the Committee reviewed 48 *Probable Cause* cases during its February 13, 2008, meeting and brought the following recommendations on behalf of the Committee excluding case # 7-10-341:

| # | CASE # | Applicant | STANDARDS VIOLATED | RECOMMENDATION |
|---|-----------|-----------------|---|-------------------|
| 1 | 06-11-562 | Applicant | Criminal Acts Professional Conduct | No Probable Cause |
| 2 | 07-6-1477 | Applicant | Criminal Acts Misrepresentation or Falsification | Deny |
| 3 | 07-6-1509 | Property Rights | Professional Conduct | Revoke |
| 4 | 07-6-1564 | Property Rights | Criminal Acts Misrepresentation or Falsification | Reprimand |
| 5 | 07-6-1660 | Applicant | Criminal Acts Professional Conduct | Deny |
| 6 | 07-7-38 | Property Rights | Criminal Acts Misrepresentation or Falsification | Reprimand |
| 7 | 07-8-135 | Property Rights | Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report | Reprimand |
| 8 | 07-9-191 | Applicant | Criminal Acts | Deny |
| 9 | 07-9-247 | Property Rights | Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct Action Taken in Another State | Suspend One Year |

| # | CASE # | Applicants | STANDARDS VIOLATED | RECOMMENDATION |
|----|-----------|-----------------|---|--------------------------|
| 10 | 07-9-262 | Applicant | Action Taken - Out of State Certificate Professional Conduct | Deny |
| 11 | 07-11-357 | Applicant | Criminal Acts Misrepresentation or Falsification | Deny |
| 12 | 07-11-438 | Property Rights | Criminal Acts Misrepresentation or Falsification | Reprimand |
| 13 | 07-12-505 | Applicant | No Violations | No Probable Cause |
| 14 | 07-12-511 | Applicant | Criminal Acts | Reprimand |
| 15 | 07-5-1263 | Property Rights | Misrepresentation or Falsification Public Funds and Property Professional Conduct | Suspend One Year |
| 16 | 07-5-1285 | Property Rights | Abuse of Students Professional Conduct | Suspend 20 Contract Days |
| 17 | 07-5-1287 | Property Rights | Abuse of Students Professional Conduct | Suspend 20 Contract Days |
| 18 | 07-5-1335 | Property Rights | Confidential Information DOE Rule 160-3-1-.07 | No Probable Cause |
| 19 | 07-5-1336 | Property Rights | Confidential Information DOE Rule 160-3-1-.07 | Suspend 10 Contract Days |
| 20 | 07-6-1398 | Property Rights | Abuse of Students Professional Conduct | Suspend 5 Contract Days |
| 21 | 07-6-1648 | Property Rights | Misrepresentation or Falsification IDEA Regulations | No Probable Cause |
| 22 | 07-7-42 | Property Rights | Abuse of Students Professional Conduct | Suspend 5 Contract Days |
| 23 | 07-8-104 | Property Rights | NO VIOLATIONS | Suspend One Year |
| 24 | 07-8-132 | Property Rights | Abuse of Students | Reprimand |
| 25 | 07-8-143 | Property Rights | Misrepresentation or Falsification Public Funds and Property Professional Conduct | Suspend 20 Contract Days |
| 26 | 07-8-146 | Property Rights | Misrepresentation or Falsification Public Funds and Property Professional Conduct | Suspend 20 Contract Days |
| 27 | 07-9-212 | Property Rights | Abuse of Students Professional Conduct | Suspend 5 Contract Days |
| 28 | 07-10-305 | Property Rights | OCGA 20-2-1184 Failure to Make a Required Report | No Probable Cause |
| 29 | 07-10-306 | Property Rights | Abuse of Students Professional Conduct | No Probable Cause |
| 30 | 07-10-307 | Property Rights | Professional Conduct | Suspend 5 Contract Days |
| 31 | 07-10-314 | Property Rights | Abuse of Students Professional Conduct | Reprimand |
| 32 | 07-10-318 | Property Rights | Alcohol or Drugs Professional Conduct | Suspend One Year |
| 33 | 07-10-341 | Property Rights | Abuse of Students | Reprimand |

| # | CASE # | Applicants | STANDARDS VIOLATED | RECOMMENDATION |
|----|-----------|-----------------|--|--------------------------|
| 34 | 07-10-342 | Property Rights | Professional Conduct | Suspend 90 Contract Days |
| 35 | 07-10-351 | Property Rights | Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report | Reprimand |
| 36 | 07-11-384 | Property Rights | Criminal Acts Alcohol or Drugs Professional Conduct | Revoke |
| 37 | 07-11-387 | Property Rights | Misrepresentation or Falsification Professional Conduct | Reprimand |
| 38 | 07-11-398 | APPLICANT | Misrepresentation or Falsification | No Probable Cause |
| 39 | 07-11-399 | Property Rights | Abuse of Students Professional Conduct | Suspend 90 Contract Days |
| 40 | 07-11-419 | Property Rights | Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report | Reprimand |
| 41 | 07-11-420 | Property Rights | Abuse of Students Professional Conduct | Suspend 5 Contract Days |
| 42 | 07-11-445 | Property Rights | Abuse of Students Misrepresentation or Falsification Public Funds and Property Professional Conduct | Suspend One Year |
| 43 | 07-11-457 | Property Rights | Professional Conduct | Reprimand |
| 44 | 07-11-458 | Property Rights | Abuse of Students | No Probable Cause |
| 45 | 07-12-478 | APPLICANT | Misrepresentation or Falsification | Deny |
| 46 | 07-12-578 | Property Rights | Misrepresentation or Falsification Public Funds and Property Professional Conduct | Suspend 90 Contract Days |
| 47 | 07-12-599 | Property Rights | Professional Conduct | Suspend 10 Contract Days |
| 48 | 07-12-606 | Property Rights | Alcohol or Drugs Professional Conduct | Suspend One Year |

PSC ACTION: Approved

CASE #07-10-341

MOTION: (Dartt / Ebron) To amend the EERC recommendation to a Reprimand.

ACTION: Approved

2. Ms. Miller reported that the Educator Ethics Review Committee reviewed 6 *Initial Decisions* and brought the

following recommendations on behalf of the Committee:

| CASE # | STANDARDS VIOLATED | PROBABLE CAUSE SANCTION | ADMINISTRATIVE LAW JUDGE SANCTION | RECOMMENDATION |
|-----------|---|----------------------------|-----------------------------------|---------------------------------------|
| 05-9-399 | Confidential Information Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct | Suspend – 40 Contract Days | Suspend – 10 Contract Days | Accept |
| 05-9-400 | Confidential Information Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct | Suspend – 20 Contract Days | Suspend – 2 Contract Days | Accept |
| 05-9-401 | Confidential Information Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct | Suspend – 20 Contract Days | Suspend – 2 Contract Days | Accept |
| 05-10-512 | Confidential Information Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct | Suspend – 20 Contract Days | Suspend – 10 Contract Days | Accept |
| 06-3-1072 | Abandonment of Contract Professional Conduct | Suspend – 90 Contract Days | Suspend – 90 Contract Days | No Action Pending Amended Decision |
| 06-5-1246 | Criminal Acts Alcohol or Drugs Professional Conduct | Revocation | Revocation | Accept |

PSC ACTION: Approved

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

| CASE NUMBER | REQUEST | PREVIOUS SANCTION | PREVIOUS VIOLATION | RECOMMENDATION |
|-------------|------------------|-----------------------|--|----------------|
| 07-5-1344 | Right to Reapply | Revoked: 4/27/2003 | Professional Conduct | Deny |
| 07-6-1654 | Right to Reapply | Revoked: 7/11/2002 | Criminal Acts Professional Conduct | Deny |
| 07-9-260 | Right to Reapply | Revoked: 9/17/2004 | Criminal Acts Misrepresentation or Falsification | Grant |
| 07-12-597 | Right to Reapply | Revoked: 6/13/2002 | Criminal Acts Public Funds and Property Professional Conduct | Grant |

PSC ACTION: Approved

4. Ms. Miller reported that the Educator Ethics Review Committee reviewed 10 *Settlement Agreements* and brought the following recommendations on behalf of the Committee:

| # | CASE NUMBER | SANCTION | RECOMMENDATION |
|----|-------------|--|----------------|
| 1 | 07-5-1209 | Suspension - 20 Contract Days April 30, 2007 – May 25, 2007 | Accept |
| 2 | 07-6-1489 | Reprimand | Accept |
| 3 | 07-6-1493 | Reprimand | Accept |
| 4 | 07-7-67 | Reprimand | Accept |
| 5 | 07-8-131 | Reprimand | Accept |
| 6 | 07-8-167 | Suspension – 20 Contract Days May 1, 2008 – May 28, 2008 | Accept |
| 7 | 07-9-196 | Reprimand | Accept |
| 8 | 07-9-257 | Reprimand | Accept |
| 9 | 07-10-309 | Reprimand | Accept |
| 10 | 07-10-346 | Reprimand | Accept |

PSC ACTION: Approved

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

| CASE NUMBER | STANDARDS VIOLATED | PROBABLE CAUSE SANCTION | NEGOTIATED SANCTION | RECOMMENDATION |
|-------------|--|-------------------------------|---|----------------|
| 04-6-1809 | Professional Conduct | Suspension – 1 Month | Suspension – 5 Contract Days -3/3/08 – 3/7/08 | Accept |
| 06-8-195 | Abuse of Students Alcohol or Drugs Professional Conduct | Revocation | No Probable Cause | Accept |
| 06-11-534 | Abandonment of Contract Professional Conduct | Suspension – 90 Contract Days | Suspension – 60 Contract Days | Accept |
| 07-2-985 | Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct Action Taken in Another State | Suspension – 90 Contract Days | Suspension – 5 Contract Days | Accept |
| 07-3-1069 | Criminal Acts Abuse of Students Professional Conduct Action Taken in Another State | Denial | Reprimand | Reject |

| CASE NUMBER | STANDARDS VIOLATED | PROBABLE CAUSE SANCTION | NEGOTIATED SANCTION | RECOMMENDATION |
|-------------|--|-------------------------------|------------------------------|----------------|
| 07-3-1113 | Abuse of Students | Reprimand | No Probable Cause | Accept |
| 07-4-1177 | Professional Conduct | Reprimand | No Probable Cause | Reject |
| 07-5-1265 | Confidential Information Professional Conduct | Suspension – 5 Contract Days | Warning | Reject |
| 07-5-1266 | Confidential Information Professional Conduct | Suspension – 10 Contract Days | Warning | Reject |
| 07-6-1387 | Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report | Reprimand | Warning | Accept |
| 07-6-1462 | Criminal Acts Misrepresentation or Falsification | Denial | Reprimand | Accept |
| 07-6-1503 | Action Taken Against Out of State Certificate | Denial | Reprimand | Reject |
| 07-6-1581 | Abuse of Students Professional Conduct | Reprimand | No Probable Cause | Reject |
| 07-6-1650 | Misrepresentation or Falsification Professional Conduct | Suspension – 5 Contract Days | Suspension – 5 Contract Days | Accept |
| 07-7-66 | Abuse of Students Professional Conduct | Revocation | Suspension – One Year | Reject |
| 07-7-70 | Confidential Information Professional Conduct | Suspension – 10 Contract Days | No Probable Cause | Reject |

PSC ACTION: Approved

6. Ms. Miller reported that the Educator Ethics Review Committee reviewed 1 *Voluntary Surrender/Voluntary Denial* and brought the following recommendation on behalf of the Committee:

| CASE NUMBER | SANCTION | STANDARDS VIOLATED | RECOMM. |
|-------------|------------|---|---------|
| 07-12-616 | Revocation | Abuse of Students Professional Conduct | Accept |

PSC ACTION: Approved

7. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 63 new complaints received during the months of January and February 2008.

PSC ACTION: Approved

8. **EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS**

The Educator Ethics Review Committee recommended approval of the 31 Extensions - Preliminary Investigative Determinations consisting of the following:

| # | CASE # | Complaint Received | # | CASE # | Complaint Received |
|-----|----------|--------------------|-----|----------|--------------------|
| 1. | 08-1-629 | December 31, 2007 | 18. | 08-1-654 | January 10, 2008 |
| 2. | 08-1-630 | January 2, 2008 | 19. | 08-1-655 | January 10, 2008 |
| 3. | 08-1-631 | January 2, 2008 | 20. | 08-1-656 | January 10, 2008 |
| 4. | 08-1-632 | January 3, 2008 | 21. | 08-1-657 | January 10, 2008 |
| 5. | 08-1-633 | January 3, 2008 | 22. | 08-1-658 | January 11, 2008 |
| 6. | 08-1-634 | January 4, 2008 | 23. | 08-1-659 | January 11, 2008 |
| 7. | 08-1-635 | January 4, 2008 | 24. | 08-1-660 | January 14, 2008 |
| 8. | 08-1-636 | January 4, 2008 | 25. | 08-1-661 | January 14, 2008 |
| 9. | 08-1-637 | January 7, 2008 | 26. | 08-1-662 | January 14, 2008 |
| 10. | 08-1-638 | January 7, 2008 | 27. | 08-1-663 | January 14, 2008 |
| 11. | 08-1-639 | January 7, 2008 | 28. | 08-1-664 | January 14, 2008 |
| 12. | 08-1-640 | January 7, 2008 | 29. | 08-1-665 | January 14, 2008 |
| 13. | 08-1-641 | January 7, 2008 | 30. | 08-1-666 | January 14, 2008 |
| 14. | 08-1-642 | January 7, 2008 | 31. | 08-1-708 | December 26, 2007 |
| 15. | 08-1-651 | December 28, 2007 | | | |
| 16. | 08-1-652 | January 9, 2008 | | | |
| 17. | 08-1-653 | January 9, 2008 | | | |

PSC ACTION: Approved

9. **EXTENSIONS - INVESTIGATIONS**

The Educator Ethics Review Committee recommended granting and *Investigative Extension* to the following 66 Written Complaint cases and 47 Application cases:

WRITTEN COMPLAINT EXTENSIONS:

| | | | | | | | | | |
|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| 07-11-400 | 07-8-106 | 07-10-343 | 07-8-162 | 07-11-390 | 07-6-1393 | 07-8-147 | 07-11-408 | 07-8-103 | 07-11-385 |
| 07-11-422 | 07-8-122 | 07-11-389 | 07-8-171 | 07-11-395 | 07-6-1577 | 07-9-237 | 07-11-423 | 07-8-108 | 07-11-386 |
| 07-5-1340 | 07-8-173 | 07-11-406 | 07-8-172 | 07-11-404 | 07-6-1579 | 07-10-298 | 07-11-447 | 07-8-120 | 07-11-448 |
| 07-6-1525 | 07-9-205 | 07-11-424 | 07-9-258 | 07-11-407 | 07-7-40 | 07-10-337 | 07-12-479 | 07-9-217 | |
| 07-6-1526 | 07-9-210 | 07-11-425 | 07-9-259 | 07-15-480 | 07-8-110 | 07-10-349 | 07-6-1516 | 07-9-229 | |
| 07-6-1582 | 07-10-325 | 07-11-449 | 07-9-272 | 07-5-1249 | 07-8-118 | 07-11-383 | 07-6-1517 | 07-9-239 | |
| 07-7-41 | 07-10-332 | 07-12-482 | 07-10-315 | 07-6-1373 | 07-8-137 | 07-11-402 | 07-7-37 | 07-10-345 | |

APPLICATION CASE EXTENSIONS:

| | | | | |
|-----------|-----------|-----------|-----------|-----------|
| 07-6-1639 | 07-11-435 | 07-12-526 | 07-12-540 | 07-12-554 |
| 07-6-1658 | 07-12-513 | 07-12-527 | 07-12-542 | 07-12-555 |
| 07-7-6 | 07-12-514 | 07-12-528 | 07-12-543 | 07-12-556 |
| 07-7-51 | 07-12-516 | 07-12-529 | 07-12-546 | 07-12-557 |
| 07-8-145 | 07-12-517 | 07-12-533 | 07-12-547 | 07-12-558 |
| 07-9-204 | 07-12-518 | 07-12-534 | 07-12-549 | 07-12-760 |
| 07-9-283 | 07-12-520 | 07-12-535 | 07-12-550 | 08-1-670 |
| 07-11-427 | 07-12-521 | 07-12-536 | 07-12-551 | |
| 07-11-431 | 07-12-522 | 07-12-537 | 07-12-552 | |
| 07-11-433 | 07-12-525 | 07-12-538 | 07-12-553 | |

PSC ACTION: Approved

10. **APPLICATIONS FOR CERTIFICATION REPORT**

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

PSC ACTION:

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: Approved

12. **STUDENT LOAN SUSPENSION / REINSTATEMENTS**

The Commission reviewed the report, which indicated that there were 4 certificates suspended from January 10, 2008 through February 14, 2008. There were 5 certificates that had been reinstated because restitution is now being made on those student loans. There were 4 issues where notifications had been received to suspend but releases were received prior to the actual suspension being implemented. 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 no cases closed without an appeal for a review hearing before the Commission.

14. **OTHER BUSINESS**

The Commission reviewed the proposed settlement agreement regarding case # 07-3-1100. The Educator

Ethics Review Committee recommended to approve the retro-active suspension dates based on unemployment.

VIII. REVIEW HEARINGS

- | | |
|-----------------|-------------------------------|
| 1. Harold Oberg | - Educator (Case # 06-3-1034) |
| Wayne Magnum | - Hearing Officer |
| Rebecca Mick | - PSC Attorney |
| Norman Slawski | - Attorney |

MOTION: (Miller / Muns) To go into Executive Session and allow PSC staff (Gary Walker, Penny Hannah, Cassandra Moore and Tanis Miller) to remain.

ACTION: Approved

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

ACTION: Approved

Judge Magnum confirmed that the commission does receive the entire record.

MOTION: (Muns / Bradley) The findings of fact found by the Administrative Law Judge as indicated in the Initial Decision were hereby rejected. Based on a review of the record, the following facts were hereby adopted and incorporated herein: 1. Harold Oberg is employed as a high school Science teacher by the Savannah-Chatham County School System. 2. On or about August 16, 2005, Oberg claimed he had earned a Ph.D. from a "LaSalle University" in Louisiana when he completed an electronic application for Georgia educator certification. 3. The educator listed different dates of attendance on his applications for employment and for certification. Both sets of dates are inconsistent with the dates listed on his "transcript" from LaSalle University. He listed dates of attendance as April 1996 – May 2002, on his school system application. (PSC Ex. 1, p. 5). On the PSC application, the dates listed were May 2000 – May 2002. (PSC Ex. 2, p. 25). However, the official transcript he submitted showed dates of July 7, 1999 – September 15, 2000. (PSC Ex. 2, p. 27). 4. The Certification Operations Manager for the Commission testified that the Commission depends on the Council of Higher Education Accreditation and U.S. Department of Education for their accreditation standards. LaSalle University of Louisiana is not an accredited school and is not recognized by the Georgia Professional Standards Commission. 5. Mr. Oberg was erroneously certified as an L7 and thus entitled to a higher salary, which he received until the error was corrected. 6. Mr. Oberg testified that the courses listed on his LaSalle transcript were actually transfer credits from coursework he completed approximately 18 years earlier at other institutions. (PSC Ex. 2, p. 27; Tr. 75, 78-84, 101, 110). He could not explain why his classes from other institutions had "transferred" to LaSalle with a higher grade than he earned at the other institutions. (Tr. 108). 7. Mr. Oberg testified that he began work on a formal dissertation after 2000 and completed a "verbal" exam via the telephone. He produced some handwritten notes on notebook paper and claimed that these notes constituted his dissertation but that he had not actually completed a written paper. (Petitioner's Ex. 6; Tr. 84, 120). 8. The educator agreed that one could make a reasonable assumption that someone looking at the LaSalle University transcript would believe that he actually took the courses listed, during the dates listed, for the grades listed. He also agreed that he knows a dissertation is a formal paper done in writing and presented at school. (Tr. 105, 109). 9. Oberg was aware that he had not completed a dissertation and nonetheless received a Ph.D. from LaSalle. There were other indications to him that his degree was illegitimate and that LaSalle was not an acceptable institution from which to receive a degree. Nonetheless, he submitted his

application listing the degree and thereafter received pay at an elevated level based on a certificate level which he had not legitimately attained.

The Conclusions of Law found by the Administrative Law Judge as indicated in the Initial Decision were hereby rejected. Based on a review of the record the following conclusions are hereby adopted and incorporated herein: 1. The Commission has adopted a code of ethics for educators, which represent standards of performance and conduct which are generally accepted by educators of this state. O.C.G.A. § 20-2-984.1(a). Educators of this state are required to abide by such code of ethics. O.C.G.A. § 20-2-984.1(b). The code defines unethical conduct justifying disciplinary sanction. PSC Rule 505-6-.01(1). 2. If the Commission finds that there is probable cause for imposing a sanction against the educator, it may recommend any combination of the following: That the educator be warned, reprimanded, monitored or any combination thereof; or That the certificate of the educator be suspended, revoked, or denied. O.C.G.A. § 20-2-984.5(c). 3. Standard 4 of the Code of Ethics for Educators provides in part that: An educator should exemplify honesty and integrity in the course of professional practice. Unethical conduct includes but is not limited to: falsifying, misrepresenting, omitting or erroneously reporting professional qualifications, criminal history, college or staff development credit and/or degrees, academic award, and employment history when applying for employment and/or certification or when recommending an individual for employment, promotion, or certification. Commission Rule 505-6-.01 (3) (d). The Commission found probable cause to believe Mr. Oberg falsified, misrepresented, or erroneously reported his Ph.D. from LaSalle University in Louisiana when he applied for employment and certification since LaSalle was not an accredited school and is not recognized by the Commission. 4. Standard 5 of the Code of Ethics for Educator provides that: An educator entrusted with public funds and property should honor that trust with a high level of honesty, accuracy, and responsibility. Unethical conduct includes but is not limited to: submitting fraudulent requests for reimbursement of expenses or for pay. Commission Rule 505-6-.01 (3) (e). The Commission found probably cause to believe Mr. Oberg violated this standard when he misrepresented his qualifications to obtain a doctorate level certification and receive higher pay than he should have earned. 5. Standard 10 of the Code of Ethics for Educators provides that: An educator should demonstrate conduct that follows generally recognized professional standards. Unethical conduct is any conduct that impairs the certificate holder's ability to function professionally in his or her employment position. Commission Rule 505-6-.01 (3) (j). The Commission found probable cause to believe Mr. Oberg failed to follow generally recognized professional standards when he misrepresented his educational credentials, thus affecting his ability to function in his employment position as parents and the school system can have no confidence in a teacher who cheats to get his doctorate degree by buying it online.

The Commission hereby rejects the modified sanction recommended by the Administrative Law Judge as indicated in the Initial Decision. The Commission concludes that a greater sanction is appropriate in this particular to be consistent with sanctions given in similar cases. The Commission hereby ORDERS that the Georgia educator certificate held by Harold Oberg be suspended for one year effective February 29, 2008 through March 1, 2009 . If the Respondent decides to appeal this decision, he/she must file a petition within 30 days after service of this Final Decision pursuant to O.C.G.A. § 50-13-19.

PSC ACTION: Approved

IX. EXECUTIVE SECRETARY REPORT

A. Kelly Henson told the commissioners that at the last Alliance of Education Agency Heads meeting he was asked to chair a task force on increasing the number of math and science teachers in Georgia. They would like

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to have a qualified teacher in every classroom. Their goal is to increase the pool of math and science teachers. They will be looking at different solutions and will take an aggressive approach in solving this problem. The goal is for this task force to compile their work and present findings and recommendations to the Alliance and the Governor by the end of June.

B. Kelly Henson passed out the PSC's new brochure titled "Safeguarding Georgia's Students and Standards". He announced that the PSC is working to enhance the image and branding recognition and information from the PSC. Rick Eiserman and Chuck McCampbell are working with a group of PSC staff members on redesigning our website as well.

C. Kelly Henson shared with the commission pictures that were taken at the Joint Education Boards Liaison Committee (JEBLC) reception which was held on January 28th. Dr. Debbie Wilkes spoke briefly about the JEBLC meeting and reception which the PSC hosted. She thanked Rick Eiserman, John Grant and Renee Shaat for their help in making sure that the meeting and reception ran smoothly. She also thanked Maria Miller for chairing the meeting and she thanked all the commissioners that attended the reception.

D. Kelly Henson gave the commission a brief a overview of personnel changes. Phyllis Payne was moved from Education Staff Specialist – Master Teacher to Education Staff Specialist – Alternative Certification on February 1st. Ginny Elliott will be moved from Education Staff Specialist – Master Teacher to Master Teacher Program Director and Dr. Winifred Nweke will be moved from Research and Evaluation Coordinator to Education Staff Specialist – Master Teacher on February 18th. We will be interviewing for the Program Director for Testing position on February 15th and hope to choose a candidate. We also hope to hire a Director of Management and Business Operations within the next couple of weeks. We will be posting two Education Staff Specialist positions for the Educator Preparation division and one Education Staff Specialist – Master Teacher position.

E. Kelly Henson gave a brief legislative overview.

He thanked Rick Eiserman for attending the meeting of the legislative sub-committee on the Visually Impaired Certification House Bill. The PSC supports the foundation of the bill but as it is, it would effectively remove many teachers when they are ready to renew their certification. We will work to gather additional information on the visually impaired workforce and provide that information to the legislative sub-committee.

Gary Walker is working with Representative Howard Maxwell to point out conflicts in the law regarding Educator Ethics.

Jerry Eads, Chuck McCampbell and Kelly Henson will meet with Representative Brooks Coleman at the capitol today after the commission meeting to present data on teacher workforce.

Representative Brooks Coleman and others have introduced House Resolution 1103. It calls for creating the Joint Study Committee on Teacher Training and Certification. We look forward to sharing the excellent work that is both a part of the Certification Division and Educator Preparation Division. We all share the goal of a qualified teacher in every classroom. It is my hope that House Resolution 1103 will help us achieve that goal.

F. Kelly Henson thanked Jane Huntley, Phyllis Payne and Ginny Elliott for their work on Master Teacher. He also

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thanked Governor Perdue and others involved for the tangible reward for that meet the Master Teacher requirements.

A Master Teacher that mentors another teacher will receive an annual stipend of \$500.00. A Master Teacher that serves as an Academic Coach will receive an annual stipend of \$2,000.00. If a teacher maintains their Master Teacher status he/she will receive automatic renewal through the PSC, and all other education agencies will look to the Master Teacher list when appointing teachers to boards, task forces, and committees.

G. Phil Blackwell presented the certification rules for initiation.

MOTION: (Muns / Smith) To initiate rulemaking procedures in accordance with the Georgia Administrative Procedures Act so as to provide for (1) amending the current rules in Chapter 505-2 Certification, effective May 15, 2008 as follows: 505-2-.20 and 505-2-.24.

ACTION: Approved

H. Dr. David Hill presented the Georgia Assessments for the Certification of Educators (GACE) Preliminary Pass Rate Analysis – by Group for the Computer Skills Competency Assessment and test pass rate analysis and interpretive notes.

MOTION: (Miller / Powell) To approve a passing score of 39 for the GACE Field 178 Computer Skill Competency.

ACTION: Approved

Opposed: Stephen Dartt, Jean Ebron

I. Stephen Dartt spoke briefly about the Ethics Review Committee. Dr. Debbie Wilkes attended as well as members of PAGE, GAE and the Georgia School Superintendents Association. Dr. Gary Walker coordinated the meeting. He will take the committee's comments and suggestions and present the committee with recommendations/suggestions.

X. CHAIR REPORT

Our next meeting will be held on March 13th at Lake Blackshear Resort in Cordele, Georgia. Our retreat will convene at 1:30 on Tuesday, March 11th and conclude with the commission meeting on Thursday, March 13th.

XI. ADJOURNMENT

Chair Wilkes called for the meeting to be adjourned at 10:45 a.m.

PSC ACTION: Approved