

# MINUTES

## PROFESSIONAL STANDARDS COMMISSION

Two Peachtree Street

Atlanta, Georgia

July 9, 2009

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

### Members Present

Penny Benton  
Julia Bernath  
Maria Bradley  
Sallie Bullock  
Stephen Dartt

Joy Hawkins  
Stephanie Haynes  
Emily Jennette  
Dr. Louisa Moffitt  
Dr. Mary Outlaw

Rose Powell  
Dr. Craig Smith  
Dr. Ed Smith  
Dr. Hester Vasconcelos  
Dr. Debbie Wilkes

### Members Absent

Jeanne Tucker

Al George

### 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:** (Vasconcelos / Powell) To approve the agenda.

**PSC ACTION:** Approved

### III. APPROVAL OF MINUTES

Chair Wilkes called for approval of the minutes from the June 11, 2009, Commission meeting.

**PSC ACTION:** Approved

### IV. VISITORS

Chair Wilkes welcomed the visitors.

- Margaret Elliott, Professional Association of Georgia Educators
- Bill Ware, Georgia Association of Colleges for Teacher Education
- Oliver Hurley
- Kristina Torres, Atlanta Journal Constitution
- John Hooper, Georgia School Superintendents Association

### V. EMPLOYEE SERVICE AWARDS

Chair Wilkes and Kelly Henson congratulated and gave certificates to the employees listed below:

#### Alethia (Lissa) Johnson – 30 Year Service Award:

Lissa began her career in Certification in 1978 when she was hired as a vocational student to answer phones and open mail. At this time Certification was under the GA Department of Education. In 1979 Lissa was promoted to assist one of the evaluators (Carrie Battle) as her secretary/typist. She continued to expand her duties in the

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early 1980's when she also assisted Jeff, Nancy, and Betty. This provided excellent training for her, and, in recognition of her skills, she began renewing certificates, composing correspondence to applicants and assisting Rick Eiserman in the early 90's. Lissa was promoted to a certification evaluator in 2002 and has since been promoted to certification specialist this past year. Lissa takes great pride in providing detailed, thorough letters in response to the transactions requested and is consistently one of the top three evaluators in the number of cases processed. She is a valued team member.

Joy Lamar – 20 Year Service Award:

Joy began her career as a Clerk in Certification in February 1989 when it was under the Department of Education. She was soon promoted to the position of Principal Clerk II. Although the main function of this position was data entry, the new requirement of being charged a fee for certification transactions was initiated and it was Joy's responsibility to log in and account for these fees. Although this is not one of her current duties, she does provide back-up for the scanning supervisor in her absence. She was also the back-up receptionist during lunch. Joy's numerous duties included filing, pulling micro fiche jackets and ordering supplies. In 2003, scanning equipment was implemented and she learned this new process and continues to be at the top of the scanning statistics. Joy has also had the responsibility of reviewing and checking in documents on Express Lane. Joy quietly and efficiently handles her duties in a professional manner. She volunteers her assistance and willingly accepts any tasks assigned.

**VI. RECOGNITION OF LEON HURLEY**

Chair Wilkes, Kelly Henson and Penney McRoy thanked Leon Hurley for his service and presented him with an engraved clock.

Leon Hurley served the PSC and the education profession for many years. Formerly the Associate Dean of Teacher Education at Georgia State University, Dr. Hurley served on the Commission from December 1999 until September 2002 and has been a member of the PSC Board of Examiners since 1999. He remained active as an examiner, conducting on-site approval reviews through 2007. In addition, since 2003 Dr. Hurley has served as a member of the Evaluation Review Panel, the group responsible for reviewing approval requests and making approval recommendations to members of the Commission. Dr. Hurley is officially retiring from the panel this month and we wish to thank him publicly for many years of dedicated service to the Commission and to Georgia educators and students.

**VII. 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 44 **Probable Cause** cases during its July 8, 2009, meeting and brought the following recommendations on behalf of the Committee:

#	CASE #	Applicant	STANDARDS VIOLATED	RECOMMENDATION
1	09-1-822	Property Rights	Criminal Acts Failure to Make a Required Report O.C.G.A. §16-13-111	Suspension – 1 Year
2	09-4-1108	Property Rights	Action Taken in Another State Professional Conduct	Revocation
3	09-5-1233	APPLICANT	Action Taken in Another State Criminal Acts	Reprimand
4	09-5-1234	Property Rights	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	Reprimand
5	09-5-1261	Property Rights	Criminal Acts Failure to Make a Required Report Professional Conduct	Suspension – 5 Contract Days
6	09-5-1269	Property Rights	Criminal Acts Abuse of Students Professional Conduct Other Good and Sufficient Cause	Revocation
7	09-5-1270	Property Rights	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report O.C.G.A. §16-13-111	Revocation
8	09-6-1291	APPLICANT	Criminal Acts Professional Conduct	Reprimand
9	09-6-1302	APPLICANT	O.C.G.A. §16-13-111 Criminal Acts	Reprimand
10	09-6-1306	Property Rights	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	Suspension – 5 Contract Days
11	09-6-1353	APPLICANT	Improper Remunerative Conduct Professional Conduct	Reprimand
12	08-12-628	Property Rights	Professional Conduct	Suspension – 1 Year
13	08-12-629	Property Rights	Abuse of Students Professional Conduct	Revocation
14	08-12-664	Property Rights	Misrepresentation or Falsification +PUBLIC FUNDS AND PROPERTY Professional Conduct	Suspension – 20 Contract Days
15	09-1-794	Property Rights	Criminal Acts Public Funds and Property Professional Conduct	Suspension – 90 Contract Days
16	09-1-807	Property Rights	Confidential Information Professional Conduct	Suspension – 20 Contract Days

#	CASE #	Applicant	STANDARDS VIOLATED	RECOMMENDATION
17	09-1-808	Property Rights	Criminal Acts Misrepresentation or Falsification Professional Conduct	Suspension – 20 Contract Days
18	09-1-809	Property Rights	Abuse of Students Professional Conduct	Suspension – 1 Year
19	09-2-869	Property Rights	Misrepresentation or Falsification Professional Conduct	Suspension – 20 Contract Days
20	09-2-924	Property Rights	Abuse of Students Professional Conduct	Suspension – 20 Contract Days
21	09-3-941	Property Rights	Professional Conduct	Suspension – 60 Contract Days
22	09-3-946	Property Rights	Abuse of Students Professional Conduct	Revocation
23	09-3-955	Property Rights	Abuse of Students Professional Conduct	Suspension – 10 Contract Days
24	09-3-979	Property Rights	Alcohol or Drugs Professional Conduct	Suspension – 90 Contract Days
25	09-3-983	Property Rights	Abandonment of Contract Professional Conduct	Suspension – 90 Contract Days
26	09-3-991	Property Rights	Failure to Make a Required Report Professional Conduct	Suspension – 5 Contract Days
27	09-3-995	Property Rights	Misrepresentation or Falsification Public Funds and Property Professional Conduct	Suspension – 10 Contract Days
28	09-3-1029	Property Rights	Alcohol or Drugs Professional Conduct	Suspension – 1 Year
29	09-4-1054	Property Rights	Abuse of Students Professional Conduct	Suspension – 5 Contract Days
30	09-4-1060	Property Rights	Alcohol or Drugs Professional Conduct	Suspension – 1 Year
31	09-4-1062	Property Rights	Misrepresentation or Falsification Confidential Information Professional Conduct	Suspension – 90 Contract Days
32	09-4-1086	Property Rights	Professional Conduct	Suspension – 5 Contract Days
33	09-4-1092	Property Rights	Failure to Make a Required Report Action Taken in Another State	Reprimand
34	09-4-1093	Property Rights	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	Revocation
35	09-4-1097	Property Rights	Action Taken in Another State Criminal Acts Failure to Make a Required Report Professional Conduct	Revocation

#	CASE #	Applicant	STANDARDS VIOLATED	RECOMMENDATION
36	09-4-1098	Property Rights	Action Taken in Another State Abuse of Students Failure to Make a Required Report Professional Conduct	Revocation
37	09-4-1100	Property Rights	Misrepresentation or Falsification Confidential Information Professional Conduct	Suspension – 90 Contract Days
38	09-4-1128	Property Rights	Abuse of Students Professional Conduct	Suspension – 1 Year
39	09-4-1129	Property Rights	Misrepresentation or Falsification Public Funds and Property Professional Conduct	Suspension – 1 Year
40	09-4-1158	Property Rights	Misrepresentation or Falsification Professional Conduct	No Probable Cause
41	09-4-1161	Property Rights	Criminal Acts Abuse of Students Professional Conduct Other Good and Sufficient Cause	Revocation
42	09-4-1166	Property Rights	Criminal Acts Abuse of Students Professional Conduct Other Good and Sufficient Cause	Revocation
43	09-4-1168	Property Rights	Abuse of Students Professional Conduct	Suspension – 90 Contract Days
44	09-5-1244	Property Rights	Abandonment of Contract Professional Conduct	Suspension – 90 Contract Days

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
06-9-259	Criminal Acts Abuse of Students Public Funds and Property Professional Conduct	Revocation	Revocation (Educator Withdrew Hearing Request)	Accept
08-6-1402	Failure to Make a Required Report Professional Conduct	Suspend - 1 Year	Suspend - 3 Months	Accept
08-6-1403	Failure to Make a Required Report Professional Conduct	Suspend - 1 Year	Suspend - 1 Year	Accept

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

CASE NUMBER	REQUEST	PREVIOUS SANCTION	PREVIOUS VIOLATION	RECOMMENDATION
09-5-1205	Right to Reapply	Revocation - 1983	Abuse of Students Professional Conduct	Deny
09-5-1238	Right to Reapply	Revocation - 1985	Abuse of Students Professional Conduct	Deny

4. Mr. Dartt reported that the Educator Ethics Review Committee reviewed 17 *Settlement Agreements* and brought the following recommendations on behalf of the Committee:

#	CASE NUMBER	SANCTION	RECOMMENDATION
1	08-10-397	Suspension - 1 Year July 27, 2009 - July 27, 2010	Accept
2	08-12-624	Suspension - 30 Contract Days (Retroactive - Jan. 7, 2009 - Feb. 25, 2009)	Accept
3	09-1-748	Suspension - 1 Year July 27, 2009 - July 27, 2010	Accept
4	09-1-754	Suspension - 90 Contract Days (Retroactive - Nov. 17, 2008 - April 15, 2009)	Accept
5	09-1-759	Suspension - 5 Contract Days (Retroactive - Jan. 12, 2008 - Jan. 16, 2009)	Accept
6	09-2-873	Reprimand	Accept
7	09-2-876	Suspension - 20 Contract Days (Retroactive - April 13, 2009 - May 8, 2009)	Accept
8	09-2-915	Suspension - 3 Contract Days (1 Day System Credit) (Aug. 3, 2009 - Aug. 4, 2009)	Accept
9	09-2-932	Suspension - 20 Contract Days (Retroactive - Summer School) (May 28, 2009 - June 30, 2009)	Accept
10	09-2-933	Suspension - 20 Contract Days (Aug. 3, 2009 - Aug. 28, 2009)	Accept
11	09-3-965	Suspension - 20 Contract Days (Oct. 1, 2009 - Oct. 28, 2009)	Accept
12	09-3-977	Reprimand	Accept
13	09-3-1007	Reprimand	Accept
14	09-3-1009	Reprimand	Accept
15	09-3-1028	Reprimand	Accept
16	09-4-1094	Reprimand	Accept
17	09-4-1125	Reprimand	Accept

5. Mr. Dartt reported that the Educator Ethics Review Committee reviewed 10 *Negotiated Settlement*

**Agreements** and brought the following recommendations on behalf of the Committee:

CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION	RECOMMENDATION
07-5-1285	Abuse of Students Professional Conduct	Suspension - 20 Contract Days	No Probable Cause	Accept
07-5-1333	Criminal Acts Professional Conduct	Revocation	Suspension - 30 Contract Days July 24, 2009 - Sept. 7, 2009	REJECT
07-6-1396	Abuse of Students Professional Conduct	Revocation	Revocation	Accept
07-8-118	Criminal Acts Misrepresentation or Falsification Professional Conduct	Revocation	Reprimand	Accept
08-2-780	Abuse of Students Professional Conduct	Suspension - 90 Contract Days	Suspension - 90 Contract Days (Retroactive) Feb. 1, 2008 - May 30, 2008	Accept
08-3-870	Criminal Acts Misrepresentation or Falsification	Reprimand	Reprimand	Accept
08-5-1252	Failure to Make a Required Report Professional Conduct	Suspension - 1 Year	Suspension - 3 Contract Days (Retroactive) April 29, 2008 - May 1, 2008	Accept
08-10-387	Public Funds and Property Professional Conduct	Suspension - 5 Contract Days	No Probable Cause	Accept
08-10-411	Criminal Acts Professional Conduct	Suspension - 1 Year	Suspension - 1 Year (Part Retroactive) Dec. 15, 2008 - Dec. 15, 2009	Accept
08-11-516	Alcohol or Drugs Professional Conduct	Suspension - 1 Year	Suspension - 2 Months (Retroactive) Oct. 15, 2008 - Dec. 15, 2008	REJECT

6. The Educator Ethics Review Committee recommended approval of the ***Preliminary Investigative Determination Report*** consisting of 75 new complaints received during the months of June and July 2009.

7. **EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS**

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

#	CASE #	Complaint Received	#	CASE #	Complaint Received	#	CASE #	Complaint Received
1	09-6-1307	5/28/2009	14	09-6-1320	6/2/2009	27	09-6-1333	6/2/2009
2	09-6-1308	5/28/2009	15	09-6-1321	6/2/2009	28	09-6-1334	6/2/2009
3	09-6-1309	5/28/2009	16	09-6-1322	6/2/2009	29	09-6-1335	6/2/2009
4	09-6-1310	5/28/2009	17	09-6-1323	6/2/2009	30	09-6-1336	6/3/2009
5	09-6-1311	5/28/2009	18	09-6-1324	6/2/2009	31	09-6-1337	6/3/2009
6	09-6-1312	5/28/2009	19	09-6-1325	6/2/2009	32	09-6-1338	6/3/2009
7	09-6-1313	5/29/2009	20	09-6-1327	6/2/2009	33	09-6-1339	6/3/2009
8	09-6-1314	5/29/2009	21	09-6-1328	6/2/2009	34	09-6-1357	6/5/2009
9	09-6-1315	5/29/2009	22	09-6-1329	6/2/2009	35	09-6-1358	6/5/2009
10	09-6-1316	6/1/2009	23	09-6-1330	6/2/2009	36	09-6-1359	6/8/2009
11	09-6-1317	6/1/2009	24	09-6-1331	6/2/2009	37	09-6-1360	6/8/2009
12	09-6-1318	6/1/2009	25	09-6-1332	6/2/2009	38	09-6-1361	6/8/2009
13	09-6-1319	6/1/2009	26	09-6-1327	6/2/2009	39	09-6-1362	6/8/2009

**8. EXTENSIONS - INVESTIGATIONS**

The Educator Ethics Review Committee recommended granting and *Investigative Extension* to the following 77 Written Complaints and 21 Application cases:

**WRITTEN CASE EXTENSIONS:**

09-2-857	09-4-1101	09-5-1237	09-4-1131	09-5-1243	09-1-733	09-4-1063	09-5-1208	09-4-1102	09-5-1202	09-5-1204
09-2-899	09-4-1137	09-5-1257	09-4-1132	09-5-1251	09-3-958	09-4-1135	09-5-1209	09-4-1142	09-5-1206	09-5-1216
09-2-903	09-4-1159	09-5-1283	09-4-1133	09-5-1273	09-3-962	09-4-1144	09-5-1248	09-4-1145	09-5-1245	09-5-1247
09-2-923	09-4-1162	08-12-693	09-4-1134	09-5-1277	09-3-963	09-4-1163	09-5-1250	09-4-1149	09-5-1275	09-5-1258
09-3-1013	09-4-1170	09-3-1014	09-5-1196	09-5-1284	09-3-992	09-4-1165	09-5-1253	09-4-1167	09-5-1276	09-5-1278
09-4-1059	09-5-1197	09-3-1015	09-5-1210	08-12-670	09-3-1022	09-4-1175	09-5-1274	09-4-1171	09-5-1195	09-5-1282
09-4-1090	09-5-1198	09-4-1064	09-5-1219	08-12-671	09-4-1055	09-5-1207	09-5-1280	09-5-1201	09-5-1200	09-5-1285

**APPLICATION CASE EXTENSIONS:**

08-11-555	09-4-1096	09-5-1227	09-5-1251	09-6-1340	09-6-1349	09-6-1372
09-1-818	09-4-1103	09-5-1228	09-5-1267	09-6-1347	09-6-1351	09-6-1373
09-3-968	09-5-1226	09-5-1232	09-5-1272	09-6-1348	09-6-1371	09-6-1376

**9. VOLUNTARY SURRENDERS / VOLUNTARY DENIALS**

The Educator Ethics Review Committee recommended approval of 3 Voluntary Surrender / Voluntary Denial Report as follows:

#	Case Number	STANDARDS VIOLATED	SANCTION
1	09-4-1085	Abuse of Students Professional Conduct	Revocation
2	09-4-1099	Criminal Acts Failure to Make a Required Report Professional Conduct Action Taken in Another State	Revocation

**10. APPLICATIONS FOR CERTIFICATION REPORT**



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The Educator Ethics Review Committee recommended to approve a no probable cause determination on 34 cases reflected on the *Applications for Certification Report*.

#### 11. **REVIEW HEARING EXTENSIONS**

The Commission reviewed the *Review Hearing Extensions Report* concerning 2 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 June 11, 2009 through July 9, 2009. There were 2 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 9 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 Wilkes called for approval of the Educator Ethics report as presented by Stephen Dartt excluding Preliminary Investigative Determination Case #08-11-516 and Case # 09-10-411 and Probable Cause Case # 09-4-1129 and 09-5-1244.

**PSC ACTION:** Approved

Abstention: Maria Bradley-Negotiate Settlement Case # 08-2-780 and 08-10-387, Preliminary Investigative Determination Case # 09-6-1388.

#### **Preliminary Investigative Determination CASE # 08-11-516**

To accept the educator ethics review committee recommendation to reject the negotiated sanction of a retroactive 2 months suspension.

**ACTION:** Approved

#### **Preliminary Investigative Determination CASE # 09-10-411**

To accept the educator ethics review committee recommendation after clarification.

**ACTION:** Approved

#### **Probable Cause CASE # 09-4-1129**

**MOTION:** (Bradley / Vasconcelos) To change the PSC staff recommendation from a One Year Suspension to Revocation.

**ACTION:** Approved

#### **Probable Cause CASE # 09-5-1244**

To accept the educator ethics review committee recommendation for a 90 day suspension.

**ACTION:** Approved

### **B. Educator Preparation Standing Committee**

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

Agency/Institution	Approval Recommendation
<b>Fulton County Schools</b>	<p>Developmental Approval is recommended for the professional education unit and the GaTAPP program.</p> <p>The areas for improvement remain and the assigned Education Specialist is to follow-up with the unit to assess that progress is being made by December 15, 2009.</p>
<b>Georgia State University</b>	<p>Continuing Approval is recommended for the Teacher Support Specialist Endorsement in Early Childhood Education and the Teacher Support Specialist Endorsement in Kinesiology and Health.</p>
<b>Kennesaw State University</b>	<p>Developmental Approval is recommended for the Computer Science Endorsement and the Foreign Language Education Program (P-12; Initial; M.A.T.)</p>
<b>Southwest Georgia RESA</b>	<p>Developmental Approval is recommended for the Reading Endorsement program.</p> <p>The areas for improvement remain and are to be addressed in a Progress Report due by December 31, 2009.</p>
<b>West Georgia RESA</b>	<p>Continuing Approval is recommended for the GaTAPP program.</p> <p>The areas for improvement remain and are to be addressed in a Progress Report due by December 31, 2009.</p>
<b>Clayton County School System</b>	<p>Reinstatement of Approval is recommended for the professional education unit and the following educator preparation programs:</p> <ul style="list-style-type: none"> <li>▪ Georgia Teacher Academy for Preparation and Pedagogy (GaTAPP) to include the One-Year Supervised Practicum (OYSP)</li> <li>▪ Gifted In-field Endorsement</li> <li>▪ Reading Endorsement</li> <li>▪ Teacher Support Specialist</li> </ul>

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

**PSC ACTION:** Approved

Abstention: Julia Bernath-Fulton County Schools

### **VIII. EXECUTIVE SECRETARY REPORT**

The Executive Secretary presented the following:

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**A.** Kristina Stroede, Director of Business Operations and Rosa Spencer, Human Resources Director at the Office of Planning and Budget will speak with all commissioners after the meeting has adjourned regarding becoming employees of the state.

**B.** At present, our Educator Ethics division has 2 investigators and 1 of those is severely injured. We would like to replace one investigator but due to budget constraints we most likely will not be hiring more investigators soon. I appreciate commissioners choosing cases that need to be investigated carefully.

**C.** Rick Eiserman, Director of Policy and Communications presented the rules for adoption.

**MOTION:** (Jennette / Bradley) To amend the current rules in Chapter 505-2 Certification, effective August 15, 2009, as follows: 505-2-.02, 505-2-.25 and 505-2-.108.

**ACTION:** Approved

**D.** Dr. Gary Walker, Director of Educator Ethics, is moving forward with the implementation of the Code of Ethics. He thanked the Atlanta Area Testing Directors Group for providing assistance in developing guidelines for high stakes testing for educators to serve as guidance for local school systems and so that educators understand what is expected of them.

**E.** Dr. Gary Walker, Director of Educator Ethics discuss the “Student Assessment in Georgia Schools” and “Georgia Testing Code of Ethics” documents.

**MOTION:** (Dartt / Bernath) To approve the guidelines for student assessment ethics for Georgia.

**ACTION:** Approved

**MOTION:** (Vasconcelos / Benton) To recognize the Atlanta Area Testing Directors Group for all of their collaborative efforts regarding the Code of Ethics.

**ACTION:** Approved

## **IX. CHAIR’S REPORT**

Chair Wilkes announced that we will not have a commission meeting in August. Our next commission meeting will be held on Thursday, September 10, 2009 at Two Peachtree Street in our 5<sup>th</sup> floor boardroom.

## **X. ADJOURNMENT**

Chair Wilkes called for the meeting to be adjourned at 10:05 a.m.

**PSC ACTION:** Approved