

MINUTES

PROFESSIONAL STANDARDS COMMISSION

Two Peachtree Street

Atlanta, Georgia

March 8, 2012

The Georgia Professional Standards Commission (PSC) met on Thursday, March 8, 2012, at 12:30 p.m.

Members Present

Julia Bernath
Marci Cawthon
Alice Clements
Penny Elkins
Dr. Adrian Epps

Bill Haskin
David Johnson
Bettina Polite Tate
Rose Powell
Dr. Lawrence Walters

Pam Walker
Dr. Debbie Wilkes
Pam Williams
Valerie Williams

Members Absent

Meredith Hodges
Christy McGill

Heath Garrett
Stephanie Leggett

I. CALL TO ORDER

Chair Wilkes called the meeting to order at 12:30 p.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: (Dr. Penny Elkins / Rose Powell) To approve the agenda.

PSC ACTION: Approve

III. APPROVAL OF MINUTES

Chair Wilkes called for approval of the minutes from the February 9, 2012, Commission meeting.

PSC ACTION: Approved

IV. VISITORS

Chair Wilkes welcomed the visitors.

- Margaret Elliott, Professional Association of Georgia Educators
- Cindi Chance, Cindi Chance, Georgia Association of Colleges for Teacher Education
- Linda Fortson, Warren Fortson Law Office
- Tayia Donald, Georgia Association of Educators (GAE)

V. EMPLOYEE SERVICE AWARDS

Chair Wilkes and Kelly Henson presented the employees listed below with service awards.

Kim Anderson - 20 Year Service Award - Kim works in the Ethics Division as the Case Management Coordinator. She has been with the Commission since October 2010. She is instrumental in coordinating with staff members and outside agencies in order to provide the Commissioners with ethics materials at each meeting. Kim also manages case materials coming to the Commission from the Office of State Administrative Hearings, the Courts and the Attorney General's Office. When Kim came to the Commission, she brought with her years of experience in State government. Kim has worked for the Georgia Department of Community Health, the Office of State Administrative Hearings and the State Examining Boards. Kim's time with other agencies has provided her with ideas and experiences that she is using to help improve how the ethics division accomplishes its mission. She has also provided a great deal of input regarding the upgrade and streamlining of the ethics database. Kim is hard working, and her co-workers consider her to be a pleasure to work with.

Tanis Miller – 5 Year Service Award - Tanis was grew up in Atlanta, Georgia. Upon graduation from high school, she attended Alabama State University where she earned a Bachelor's and Master's degrees in Criminal Justice. She then attended the University of Alabama where she earned her law degree. Prior to being employed with the Ethics Division, she worked for the Federal Government in the Small Business Administration division and in private practice specializing in Criminal and Family Law. Tanis resides in Henry County with her husband, Marcus, and her 4-year old daughter, Kayla.

Naquita Smith – 5 Year Service Award - Naquita has only been with the PSC since August of last year. Before coming here, she worked for the Georgia Department of Revenue and the Department of Public Health. Naquita came to PSC as Administrative Assistant in the Educator Preparation and Certification Division where she works directly with David Hill and Penney McRoy. Her work includes a wide range of projects such as planning logistics for many of the meetings and task force groups used by the Division to inform revision or creation of Educator Preparation rules. Naquita is very skilled in planning meetings. Her work involves development of contracts, planning meeting agendas, identifying equipment and materials necessary for these meetings, and being the "Go to" person onsite when meetings are underway. Naquita is a graduate of Shorter University in Rome where she completed her bachelor's degree in Business Administration. We are certainly glad Naquita is on our staff.

VI. COMMITTEE REPORTS

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

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

1. Ms. Powell reported that the Committee reviewed 35 *Probable Cause* cases during its March 8, 2012, meeting and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>STANDARDS VIOLATED</u>	<u>RECOMMENDATION</u>
11-11-537	None	NPC
11-11-659	1, 4, 10	Deny
12-1-805	10	Reprimand
11-5-1175	1,5,10	Suspension 1 year
11-6-1221	10, 11	NPC
11-6-1236	2 & 10	Suspension 3 days
11-7-2	10	Reprimand
11-7-091	2 & 10	Suspension 30 days
11-8-249	10,11	Suspension 20 days
11-9-460	4, 7, 10, DOE	Suspension 2 years
11-10-521	1, 2, 4, 10	Suspension 1 year
11-10-529	4,7,10,11	Suspension 20 days
11-10-532	2 & 10	Revoke
11-11-539	1, 5, 10	Revoke
11-11-542	2, 10	Suspension 10 days
11-11-566	9,10	NPC
11-11-567	9, 10	NPC
11-11-568	9, 10	NPC
11-11-569	9, 10	NPC
11-11-570	9, 10	NPC
11-11-571	10	NPC
11-11-572	2, 10	Suspension 90 days
11-11-575	1, 9	NPC
11-11-585	10	Suspension 1 year
11-12-679	1, 4, 5, 10	Suspension 1 year
11-12-685	2, 10	Suspension 1 year
11-12-689	10	Suspension 10 days
11-12-693	1,10	Revoke
11-12-695	10	Suspension 10 days
11-12-704	3 & 10	Suspension 1 year
11-12-705	1, 3, 10	Revoke
11-12-716	10 & 11	Suspension 90 days
11-12-717	10 & 11	Suspension 90 days
12-1-772	3, 10	Suspension 1 year
12-1-773	3, 10	Suspension 1 year

2. Ms. Powell reported that the Educator Ethics Review Committee reviewed 1 ***Initial Decision*** and brought the following recommendation on behalf of the Committee:

<u>CASE</u>	<u>STANDARDS VIOLATED</u>	<u>ALJ SANCTION</u>	<u>EERC RECOMMENDATION</u>
09-6-1379	4, 10	Revocation	Accept

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

<u>CASE</u>	<u>PREVIOUS SANCTION</u>	<u>EERC RECOMMENDATION</u>
12-1-721	Revocation March 2008	Deny
12-1-722	Denial December 2009	Grant
12-1-774	Voluntary Surrender November 2004	Deny

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

<u>CASE</u>	<u>SANCTION</u>	<u>EERC RECOMMENDATION</u>
11-4-1046	Reprimand	Accept
11-9-429	Revocation	Accept
11-10-485	Reprimand	Accept
11-11-606	Suspension - 3 days	Accept

5. Ms. Powell reported that the Educator Ethics Review Committee reviewed 20 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>NEGOTIATED SANCTION</u>	<u>EERC RECOMMENDATION</u>
08-10-385	Suspension 15 days	Accept
09-10-385	NPC	Accept
09-10-386	NPC	Accept
09-10-387	Suspension 90 days	Accept
09-12-646	Suspension 10 days	Accept
10-6-1353	Suspension 45 days	Accept
10-6-1375	Suspension 1 Year	Accept
10-7-28	Suspension 15 days	Accept
10-8-141	Suspension 154 days	Accept

<u>CASE</u>	<u>NEGOTIATED SANCTION</u>	<u>EERC RECOMMENDATION</u>
10-10-393	Reprimand	Accept
10-12-591	Suspension 20 days	Accept
10-12-593	Suspension 20 days	Accept
10-12-606	Suspension 1 Year	Accept
10-12-625	Suspension 10 days	Accept
11-1-698 11-3-809	Suspension 1 Year	Accept
11-2-728	Warning	Accept
11-3-831	Reprimand	Accept
11-3-832	Suspension 3 Years	Reject
11-4-972	Suspension 111 days	Accept
11-6-1211	Suspension 20 days	Accept

6. **OTHER BUSINESS**

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

<u>CASE</u>	<u>PROPOSED SANCTION</u>	<u>EERC RECOMMENDATION</u>
09-6-1379	Voluntary Surrender	Reject
NCO-10-2-836	NPC	Accept

7. **VOLUNTARY SURRENDER/VOLUNTARY DENIAL**

The Educator Ethics Review Committee recommended approval of the Voluntary Surrender/Voluntary Denial listed below in which an Educator/Applicant voluntarily accepted a sanction of Revocation or Denial prior to the submission of an investigative case summary for a Probable Cause Determination.

<u>CASE</u>	<u>STANDARDS VIOLATED</u>	<u>SANCTION</u>	<u>EERC RECOMMENDATION</u>
12-1-754	1, 2, 10	Voluntary Surrender	Accept

8. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 70 new complaints received during the months of March and April 2012.

9. **EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS**

The Educator Ethics Review Committee recommended approval of 51 Extensions - Preliminary Investigative Determinations consisting of the following:

12-2-827	12-2-833	12-2-839	12-2-845	12-2-851	12-2-857	12-2-863	12-2-889	12-2-895
12-2-828	12-2-834	12-2-840	12-2-846	12-2-852	12-2-858	12-2-864	12-2-890	12-2-896
12-2-829	12-2-835	12-2-841	12-2-847	12-2-853	12-2-859	12-2-885	12-2-891	12-2-897
12-2-830	12-2-836	12-2-842	12-2-848	12-2-854	12-2-860	12-2-886	12-2-892	
12-2-831	12-2-837	12-2-843	12-2-849	12-2-855	12-2-861	12-2-887	12-2-893	
12-2-832	12-2-838	12-2-844	12-2-850	12-2-856	12-2-862	12-2-888	12-2-894	

10. EXTENSIONS - INVESTIGATIONS

The Educator Ethics Review Committee recommended granting and *Investigative Extension* to the following 251 cases:

10-7-34	11-7-97	11-8-139	11-8-167	11-8-227	11-9-333	11-9-380	11-9-409	11-10-484
10-9-331	11-7-98	11-8-140	11-8-168	11-8-228	11-9-337	11-9-381	11-9-410	11-10-486
10-11-478	11-7-99	11-8-141	11-8-169	11-8-229	11-9-342	11-9-382	11-9-411	11-10-492
10-12-553	11-8-114	11-8-142	11-8-170	11-8-230	11-9-343	11-9-383	11-9-412	11-10-500
10-12-562	11-8-115	11-8-143	11-8-175	11-8-231	11-9-355	11-9-384	11-9-413	11-10-501
10-12-569	11-8-116	11-8-144	11-8-176	11-8-232	11-9-357	11-9-385	11-9-414	11-10-505
10-12-611	11-8-117	11-8-145	11-8-177	11-8-233	11-9-358	11-9-386	11-9-415	11-10-511
10-12-623	11-8-118	11-8-146	11-8-178	11-8-234	11-9-359	11-9-387	11-9-416	11-10-513
11-1-646	11-8-119	11-8-147	11-8-179	11-8-235	11-9-360	11-9-388	11-9-417	11-10-519
11-2-794	11-8-120	11-8-148	11-8-180	11-8-236	11-9-361	11-9-389	11-9-418	11-10-522
11-3-876	11-8-121	11-8-149	11-8-181	11-8-237	11-9-362	11-9-390	11-9-419	11-11-536
11-4-915	11-8-122	11-8-150	11-8-182	11-8-238	11-9-363	11-9-391	11-9-420	11-11-551
11-4-999	11-8-123	11-8-151	11-8-183	11-8-239	11-9-364	11-9-392	11-9-421	11-11-552
11-4-1000	11-8-124	11-8-152	11-8-185	11-8-240	11-9-365	11-9-393	11-9-422	11-11-554
11-4-1031	11-8-125	11-8-153	11-8-200	11-8-241	11-9-366	11-9-394	11-9-423	11-11-560
11-5-1118	11-8-126	11-8-154	11-8-201	11-8-242	11-9-367	11-9-395	11-9-424	11-11-561
11-5-1149	11-8-127	11-8-155	11-8-203	11-8-255	11-9-368	11-9-396	11-9-431	11-11-589
11-6-1192	11-8-128	11-8-156	11-8-210	11-8-263	11-9-369	11-9-397	11-9-438	11-11-595
11-6-1204	11-8-129	11-8-157	11-8-216	11-9-268	11-9-370	11-9-398	11-9-444	11-11-598
11-6-1205	11-8-130	11-8-158	11-8-217	11-9-275	11-9-371	11-9-399	11-9-454	11-11-600
11-6-1227	11-8-131	11-8-159	11-8-218	11-9-284	11-9-372	11-9-401	11-9-455	11-11-601
11-6-1249	11-8-132	11-8-160	11-8-219	11-9-285	11-9-373	11-9-402	11-9-456	11-11-603
11-6-1272	11-8-133	11-8-161	11-8-220	11-9-298	11-9-374	11-9-403	11-9-457	11-11-662
11-6-1273	11-8-134	11-8-162	11-8-221	11-9-302	11-9-375	11-9-404	11-9-458	11-11-665
11-7-25	11-8-135	11-8-163	11-8-222	11-9-304	11-9-376	11-9-405	11-9-459	11-11-671
11-7-84	11-8-136	11-8-164	11-8-223	11-9-311	11-9-377	11-9-406	11-10-463	11-12-699
11-8-87	11-8-137	11-8-165	11-8-224	11-9-321	11-9-378	11-9-407	11-10-480	11-12-702
11-7-89	11-8-138	11-8-166	11-8-225	11-9-332	11-9-379	11-9-408	11-10-481	

11. APPLICATIONS FOR CERTIFICATION REPORT

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 12 cases reflected on the *Applications for Certification Report*.

4/18/2012

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12. STUDENT LOAN SUSPENSION / REINSTATEMENTS

The Commission reviewed the report, which indicated that there were zero certificates suspended from February 9, 2012 through March 8, 2012. There were 6 certificates that had been *reinstated* because restitution is now being made on those student loans. There were zero issues where notification had been received to suspend but releases were received prior to the actual suspension being implemented.

13. FINAL DECISIONS BY OPERATION OF LAW

The Commission reviewed the report, which advised of 8 cases now closed without an appeal for a hearing before an Administrative Law Judge. The report also advised that there were 2 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 Rose Powell excluding case #'s 11-7-091 and 11-10-481.

PSC ACTION: Approved

Abstention: Case #8-10-385 and 9-10-387– Julia Bernath, Case # 12-2-854 –William Haskin, Case # 9-10-385, 9-10-386 and 9-10-387 – Pam Walker

Probable Cause Case # 11-7-091

MOTION: (Julia Bernath/ Valerie Williams) To accept the Educator Ethics Review Committee's recommendation for a 30 day Suspension.

PSC ACTION: Approved

Opposed: Alice Clements, Julia Bernath

Other Business Case # 11-10-481

MOTION: (Rose Powell / Julia Bernath) To expand the investigation to include his burglary arrest.

PSC ACTION: Approved

Opposed: Alice Clements, Julia Bernath

B. Educator Preparation Standing Committee

Committee Chair, Dr. Penny Elkins, presented the report of the Educator Preparation Standing Committee.

Developmental Approval of Programs (One)	
	Unit Number
1.	8864 [0312] Developmental Approval

SYNOPSIS				
	Unit Number	Standards	Detailed Approval Recommendations	Additional Action Required
1.	8864	1-8	The Committee recommends Developmental Approval for the professional education unit and the Georgia Teacher Academy for Preparation and Pedagogy (GaTAPP) program.	None

Chair Wilkes called for approval of the Educator Preparation Committee report as presented by Dr. Penny Elkins.

PSC ACTION: Approved

VII. RULES

Anne Marie Fenton presented the rules for adoption.

MOTION: (Dr. Penny Elkins / Rose Powell) To amend the current rules in Chapter 505-3 Educator Preparation, effective April 15, 2012, as follows: 505-3-.18, and 505-3-.70.

PSC ACTION: Approved

VIII. ADJOURNMENT

Chair Wilkes called for the meeting to be adjourned at 1:00 p.m.

PSC ACTION: Approved