

# MINUTES

## PROFESSIONAL STANDARDS COMMISSION

Two Peachtree Street

Atlanta, Georgia

May 8, 2008

The Georgia Professional Standards Commission (PSC) met on Thursday, May 8, 2008, at 9 a.m.

### Members Present

Penny Benton  
Maria Bradley  
Stephen Dartt  
Emily Jennette

Maria Miller  
Lee Muns  
Dr. Mary Outlaw  
Rose Powell

Dr. Craig Smith  
Jeannie Tucker  
Hester Vasconcelos  
Dr. Debbie Wilkes

### Members Absent

Gary Bechtel  
Al George  
Sallie Bullock

Pamela Greenway  
Dr. Louisa Moffitt  
Dr. Wanda West

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

**PSC ACTION:** Approved

### III. APPROVAL OF MINUTES

Chair Wilkes called for approval of the minutes from the April 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
- John Hooper, Georgia School Superintendents Association
- Bill Ware, Georgia Association of Colleges for Teacher Education
- Erroyl McGinty, Brenau University

### V. INDUCTION OF PENNY BENTON

Chair Wilkes introduced Penny Benton and Kelly Henson swore her in as our new commissioner. Penny Benton is a teacher at Holly Springs Elementary School in Cherokee County.

## **VI. COMMISSIONER SERVICE AWARD**

Chair Wilkes presented Holly Robinson with her own portrait and thanked her for serving on the commission. Dr. Robinson served on the commission from October 8, 2004 through November 2007. Kelly Henson also thanked her for her valuable service on the commission.

## **VII. EMPLOYEE SERVICE AWARDS**

Chair Wilkes presented the following employees with service awards and Kelly Henson said the following and thanked them for their service:

### **KATHLEEN SMITH PETERSEN – 5 Year Service Award**

Kathy joined us as a temporary employee a little over five years ago in our PSC call center. She immediately impressed us with her politeness, her initiative to learn the rules by which we have to operate, and her overall excellent work ethic. Needless to say, when we were fortunate to receive state funding for some new Information Specialist positions in the call center, we immediately employed Kathy for one of those positions. After serving us in the call center for a period of time, a position became available as an Evaluator Trainee and Kathy was selected for that position. Since then she has progressed to the next level of Evaluator. That's quite a bit to accomplish in five years. Kathy is always willing to take on additional responsibilities, and she is very skilled at communicating both verbally and in writing. She is a very valuable employee and we look forward to many more years of excellent service.

### **JOHN GRANT – 10 Year Service Award**

John Grant is the Chief Investigator of the Ethics Division of the Professional Standards Commission. Prior to joining the PSC in June 1999, John served 27 years as a police officer. The majority of his service was in the investigative divisions where he was a detective and detective commander for the city of Atlanta and Fulton County police departments. He has over 30 years investigative experience. He earned a Criminal Justice degree from GA State University and has attended the FBI National Academy and DEA Drug Unit Commanders Academy.

John directs and supervises activities of investigators engaged in investigating alleged educator misconduct, evaluates investigators' performance, and conducts investigations when necessary. He also conducts workshops on educator ethics and on how to conduct investigations. John is a valuable team member who has a constant focus on protecting the students in Georgia schools. Congratulations and thank you for your dedicated service.

## **VIII. COMMITTEE REPORTS**

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

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

1. Ms. Miller reported that the Committee reviewed 46 *Probable Cause* cases during its May 7, 2008, meeting and brought the following recommendations on behalf of the Committee:

#	CASE #	Applicant	STANDARDS VIOLATED	RECOMMENDATION
1	07-6-1658	Property Rights	Criminal Acts Misrepresentation or Falsification	Reprimand
2	07-12-534	Property Rights	Criminal Acts Professional Conduct Action Taken in Another State	Denial
3	07-12-537	APPLICANT	Criminal Acts	Reprimand
4	07-12-538	Property Rights	Criminal Acts Misrepresentation or Falsification	No Probable Cause
5	07-12-540	APPLICANT	Professional Conduct	Reprimand
6	07-12-543	Property Rights	Criminal Acts Misrepresentation or Falsification	Reprimand
7	07-12-546	APPLICANT	Criminal Acts O.C.G.A. §16-13-111	Denial
8	07-12-547	Property Rights	Criminal Acts Misrepresentation or Falsification	Reprimand
9	07-12-549	APPLICANT	Criminal Acts	Reprimand
10	07-12-551	APPLICANT	Abuse of Students Improper Remunerative Conduct Professional Conduct Action Taken in Another State	Denial
11	07-12-552	APPLICANT	Criminal Acts O.C.G.A. §16-13-111	Denial
12	07-12-553	APPLICANT	Criminal Acts Abuse of Students Misrepresentation or Falsification Professional Conduct Action Taken in Another State	Denial
13	07-12-554	APPLICANT	Abuse of Students Misrepresentation or Falsification Professional Conduct Action Taken in Another State	Denial
14	07-12-556	APPLICANT	Misrepresentation or Falsification Professional Conduct Action Taken in Another State Other Good and Sufficient Cause	Denial
15	07-12-557	APPLICANT	Criminal Acts Misrepresentation or Falsification	Denial
16	07-12-558	APPLICANT	Professional Conduct	Denial
17	08-1-682	APPLICANT	Misrepresentation or Falsification	Denial
18	08-1-719	APPLICANT	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	Reprimand
19	06-11-447	Property Rights	Abuse of Students Misrepresentation or Falsification Professional Conduct	Revocation
20	07-5-1340	Property Rights	Misrepresentation or Falsification Public Funds and Property	No Probable Cause
21	07-6-1577	Property Rights	Professional Conduct	No Probable Cause
22	07-7-41	Property Rights	Abuse of Students Professional Conduct	Suspension - 5 Contract Days

23	07-10-325	Property Rights	Professional Conduct	No Probable Cause
24	07-10-343	Property Rights	Abuse of Students Professional Conduct	Suspension - 5 Contract Days
25	07-11-395	Property Rights	Misrepresentation or Falsification	Suspension – 1 Year
26	07-11-408	Property Rights	Abuse of Students Professional Conduct	Suspension - 10 Contract Days
27	07-12-575	Property Rights	Abuse of Students Professional Conduct	Reprimand
28	07-12-623	Property Rights	Professional Conduct	Suspension - 5 Contract Days
29	08-1-653	Property Rights	Criminal Acts Public Funds and Property Professional Conduct	Suspension - 20 Contract Days
30	08-1-656	Property Rights	Misrepresentation or Falsification Professional Conduct	Suspension - 20 Contract Days
31	08-1-663	Property Rights	Confidential Information Professional Conduct	No Probable Cause
32	08-1-668	Property Rights	Alcohol or Drugs Professional Conduct	Suspension – 1 Year
33	08-1-725	Property Rights	Abuse of Students Professional Conduct	Suspension - 20 Contract Days
34	08-1-727	Property Rights	Abuse of Students Professional Conduct	Suspension – 1 Year
35	08-1-728	Property Rights	Abuse of Students Professional Conduct	Suspension - 20 Contract Days
36	08-2-744	Property Rights	Abandonment of Contract Professional Conduct	Suspension - 90 Contract Days
37	08-2-753	Property Rights	Abandonment of Contract Professional Conduct	Suspension - 90 Contract Days
38	08-2-768	Property Rights	Misrepresentation or Falsification Professional Conduct	Suspension - 60 Contract Days
39	08-2-770	Property Rights	NO VIOLATIONS	No Probable Cause
40	08-2-778	Property Rights	Alcohol or Drugs Misrepresentation or Falsification Professional Conduct	Suspension – 1 Year
41	08-2-780	Property Rights	Abuse of Students Professional Conduct	Suspension - 90 Contract Days
42	08-2-781	Property Rights	Misrepresentation or Falsification Professional Conduct	Suspension - 90 Contract Days
43	08-2-785	Property Rights	Criminal Acts Misrepresentation or Falsification	Suspension - 90 Contract Days
44	08-2-796	Property Rights	Professional Conduct	No Probable Cause
45	08-2-797	Property Rights	Abuse of Students Alcohol or Drugs Professional Conduct	Revocation
46	08-3-846	Property Rights	Abuse of Students Professional Conduct	Reprimand

**PSC ACTION:** Approved

2. Ms. Miller 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
06-8-203	Professional Conduct	Revocation	Revocation	Accept
07-1-685	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	Revocation	Revocation	Accept
07-3-1069	Criminal Acts Professional Conduct Action Taken in Another State	Denial	Denial	Accept

**PSC ACTION:** Approved

3. 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	07-5-1249	Reprimand	Accept
2	07-8-172	Revocation	Accept
3	07-9-217	Reprimand	Accept
4	07-11-435	Reprimand	Accept
5	07-11-447	Reprimand	Accept
6	07-12-522	Reprimand	Accept
7	07-12-535	Reprimand	Accept
8	07-12-536	Reprimand	Accept
9	07-12-621	Revocation	Accept
10	08-1-711	Suspension – 1 Year (Retro – Unemployment) December 15, 2007 – December 15, 2008	Accept

**PSC ACTION:** Approved

4. 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 #	EDUCATOR	STANDARDS VIOLATED	SANCTION	EERC Recomm.
1.	08-3-1056	Robert Turman	Abuse of Students Professional Conduct	Revocation	Accept

**PSC ACTION:** Approved

5. Ms. Miller reported that the Educator Ethics Review Committee reviewed 19 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee:

CASE #	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION	RECOMMENDATION
04-8-159	Criminal Acts Failure to Make a Required Report Professional Conduct	Reprimand	Warning	Accept
04-12-779	Public Funds and Property Professional Conduct	Suspend – 6 Months	Suspend – 3 Months Retro – Unemployment 1/3/06 – 4/3/06	Reject
04-12-783	Professional Conduct	Suspension – 1 Year	Suspension – 1 Year Retro - Unemployment	Accept
05-5-1673	Public Funds and Property Professional Conduct	Suspension – 60 Contract Days	No Probable Cause	Reject
05-8-187	Misrepresentation or Falsification Professional Conduct	Suspension – 1 Year	Suspension – 60 Contract Days	Accept
05-8-237	Alcohol or Drugs Misrepresentation or Falsification Professional Conduct	Suspension – 1 Year	Suspension – 1 Year Retro - Unemployment	Accept
05-9-396	Misrepresentation or Falsification Professional Conduct	Suspension – 5 Contract Days	Reprimand	Reject
06-8-200	Confidential Information Professional Conduct	Reprimand	No Probable Cause	Accept
06-9-311	Confidential Information Professional Conduct	Reprimand	Warning	Accept
06-10-408	Misrepresentation or Falsification Public Funds and Property Professional Conduct	Revocation	Suspension – 1 Year	Accept
07-3-1067	Criminal Acts	Reprimand	Reprimand	Accept
07-5-1305	Misrepresentation or Falsification Professional Conduct	Suspension – 20 Contract Days	Suspension – 10 Contract Days	Accept
07-5-1321	Abuse of Students Professional Conduct	Revocation	Revocation	Accept
07-7-66	Abuse of Students Professional Conduct	Revocation	Revocation	Accept
07-7-70	Confidential Information Professional Conduct	Suspension – 10 Contract Days	Warning	Reject
07-8-111	Abuse of Students Professional Conduct	Suspension – 20 Contract Days	No Probable Cause	Reject
07-11-357	Criminal Acts Misrepresentation or Falsification	Denial	Reprimand	Accept
07-10-337	Abuse of Students Professional Conduct	Reprimand	Warning	Accept
06-5-1249	Criminal Acts Failure to Make a Required Report Professional Conduct	Revocation	Revocation	Accept

**PSC ACTION:** Approved

Abstention: Maria Bradley – Case # 06-5-1249, Jeanne Tucker – Case # 06-8-200

## 6. **OTHER BUSINESS**

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

CASE NUMBER	ISSUE:	DISCUSSION:	DECISION:
08-1-633	Reconsideration: Petition for the Right to Reapply	Uphold previous decision to Deny Right to Reapply for GA certificate. Commission still has concerns for student safety, lack of integrity and lack of remorse for actions upheld in the original investigative summary.	Reject Reconsideration

**PSC ACTION:** Approved

7. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 87 new complaints received during the months of April and May 2008.

**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 #	Complaint Received	#	CASE #	Complaint Received
1.	08-4-1073	March 28, 2008	18.	08-4-1090	April 3, 2008
2.	08-4-1074	March 28, 2008	19.	08-4-1091	April 3, 2008
3.	08-4-1075	March 28, 2008	20.	08-4-1092	April 3, 2008
4.	08-4-1076	March 28, 2008	21.	08-4-1093	April 4, 2008
5.	08-4-1077	March 31, 2008	22.	08-4-1094	April 4, 2008
6.	08-4-1078	March 31, 2008	23.	08-4-1095	April 4, 2008
7.	08-4-1079	March 31, 2008	24.	08-4-1096	April 4, 2008
8.	08-4-1080	April 1, 2008	25.	08-4-1097	April 4, 2008
9.	08-4-1081	April 1, 2008	26.	08-4-1098	April 7, 2008
10.	08-4-1082	April 1, 2008	27.	08-4-1099	April 7, 2008
11.	08-4-1083	April 1, 2008	28.	08-4-1100	April 7, 2008
12.	08-4-1084	April 1, 2008	29.	08-4-1101	April 7, 2008
13.	08-4-1085	April 1, 2008	30.	08-4-1102	April 7, 2008
14.	08-4-1086	April 1, 2008	31.	08-4-1103	April 7, 2008
15.	08-4-1087	April 1, 2008	32.	08-4-1104	April 7, 2008
16.	08-4-1088	April 2, 2008	33.	08-4-1105	April 7, 2008
17.	08-4-1089	April 2, 2008			

**PSC ACTION:** Approved

#### 9. **EXTENSIONS - INVESTIGATIONS**

The Educator Ethics Review Committee recommended granting and *Investigative Extension* to the following 59 Written Complaints and 102 Application cases:

### Written Complaint Extensions

08-1-731	07-9-239	08-2-761	07-8-137	07-11-423	08-1-709	07-12-610	08-2-735	07-8-106	07-11-449
08-1-734	07-12-607	08-2-790	07-8-147	07-12-479	08-1-733	08-1-634	08-2-745	07-9-205	07-12-482
07-7-37	07-12-612	07-6-1579	07-10-298	07-12-586	08-2-752	08-1-658	08-2-759	07-9-210	07-12-600
07-8-103	07-12-615	07-7-40	07-10-349	07-12-587	07-10-315	08-1-659	07-6-1525	07-10-332	07-12-618
07-8-120	08-1-635	07-8-110	07-11-383	07-12-620	07-11-404	08-1-714	07-6-1526	07-11-389	07-11-400

### Application Case Extensions

07-9-283	08-1-681	08-1-698	08-3-866	08-3-880	08-3-905	08-3-918	08-3-941	08-3-965	08-3-985	08-3-1000
07-12-520	08-1-684	08-1-699	08-3-867	08-3-887	08-3-906	08-3-921	08-3-942	08-3-967	08-3-986	08-3-1001
07-12-533	08-1-685	08-1-700	08-3-869	08-3-890	08-3-907	08-3-924	08-3-949	08-3-968	08-3-991	
07-12-542	08-1-687	08-1-701	08-3-870	08-3-891	08-3-908	08-3-927	08-3-951	08-3-969	08-3-992	
07-12-550	08-1-690	08-1-702	08-3-871	08-3-897	08-3-909	08-3-928	08-3-957	08-3-971	08-3-993	
07-12-555	08-1-692	08-1-703	08-3-873	08-3-898	08-3-910	08-3-930	08-3-959	08-3-972	08-3-994	
08-1-670	08-1-693	08-1-704	08-3-874	08-3-900	08-3-912	08-3-933	08-3-960	08-3-977	08-3-996	
08-1-677	08-1-694	08-1-706	08-3-875	08-3-901	08-3-913	08-3-935	08-3-962	08-3-980	08-3-997	
08-1-679	08-1-696	08-1-707	08-3-876	08-3-902	08-3-916	08-3-937	08-3-963	08-3-982	08-3-998	
08-1-680	08-1-697	08-2-742	08-3-878	08-3-904	08-3-917	08-3-940	08-3-964	08-3-984	08-3-999	

**PSC ACTION:** Approved

### 10. APPLICATIONS FOR CERTIFICATION REPORT

The Educator Ethics Review Committee recommended approval for a *No Probable Cause Determination* on 18 cases reflected on the *Applications for Certification Report*.

**PSC ACTION:** Approved

### 11. REVIEW HEARING EXTENSIONS

The Commission reviewed the *Review Hearing Extensions Report* concerning 5 hearing cases. An Administrative Law Judge rendered Initial Decisions on each case referenced in the report. The report indicates Orders were issued by the Commission to extend time by 30 additional days to preserve the Commission's time to conduct review hearings.

**PSC ACTION:** Approved



## 12. STUDENT LOAN SUSPENSION / REINSTATEMENTS

The Commission reviewed the report, which indicated that there were 11 certificates suspended from April 10, 2008 through May 8, 2008. There were 2 certificates that had been *reinstated* because restitution is now being made on those student loans. There were 2 issues where notification 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 4 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.

### B. Educator Preparation Standing Committee – Summary of Approval Recommendations

Four members of the Educator Preparation Standing Committee met on May 7, 2008 to consider approval requests from the 4 institutions, 1 RESA, and one school district listed below. These approval requests are described in greater detail on the following pages. A quorum was not present for the meeting; therefore, the recommendations listed below are presented to all Commissioners for a vote.

Dr. Craig Smith read all recommendations.

<b>Institution/Agency</b>	<b><u>Recommendation</u></b>
<b>Georgia State University</b>	Developmental Approval is recommended for the following initial preparation programs in Educational Leadership: <ul style="list-style-type: none"> <li>♦ Master’s degree program leading to NL5 Certification</li> <li>♦ Certification-only program leading to NL5 Certification</li> <li>♦ Education Specialist degree program leading to PL6 Certification</li> </ul> The area for improvement cited on Standard 1 for all programs may be removed.
<b>Valdosta State University</b>	Developmental Approval is recommended for the following initial preparation programs in Educational Leadership: <ul style="list-style-type: none"> <li>♦ Master’s degree program leading to NL5 Certification</li> <li>♦ Education Specialist leading to PL6 Certification</li> <li>♦ Certification-only option leading to PL6 Certification</li> <li>♦ Certification-only option leading to PL7 Certification</li> <li>♦ Teacher Leader Endorsement</li> </ul> The area for improvement cited on Standard 1 for the Teacher Leader Endorsement may be removed.
<b>Macon State College</b>	Developmental Approval is recommended for the initial preparation programs in Secondary English and Secondary History.
<b>Chattahoochee-Flint RESA</b>	Developmental Approval is recommended for the Georgia TAPP program.
<b>Gwinnett County Public Schools</b>	Developmental Approval is recommended for the Georgia TAPP program.

<b>Institution/Agency</b>	<b><u>Recommendation</u></b>
<b>Thomas University</b>	The Committee recommends granting Thomas University's request to delay their PSC Continuing on-site review from fall 2008 to spring 2009.

**MOTION:** (Muns / Miller) To accept the Educator Preparation Standing Committee – Summary of Approval Recommendations Report as presented by Dr. Craig Smith.

**PSC ACTION:** Approved

**IX. EXECUTIVE SECRETARY REPORT**

The Executive Secretary presented the following:

A. The Master Teacher Conference concluded on Wednesday, April 9<sup>th</sup>. Coastal Plains RESA did an outstanding job on organizing the conference. There were many wonderful speakers and there was a very good turn out.

B. We will move the Educator Ethics Rule Revision to our June meeting. We will meet with our attorneys on Friday, May 16<sup>th</sup> and we are still hearing from the public. We want to fully consider any suggestions and recommendation that are sent to us.

C. Kelly spoke briefly about alternative routes to certification. He gave the commissioners a hand-out titled "Number of New Teachers Needed by the 2012 School Year". Kelly will bring the commissioners a copy of a formal proposal for alternative routes to certification along with teacher retention rates at a later date.

D. David Hill and Penney McRoy gave the commissioners a brief update on the Educator Preparation division. Kelly Henson thanked the division for all of their hard work.

**X. CHAIR'S REPORT**

Chair Wilkes presented the following:

A. Emily Jennette attended The National State Teachers of the Year Recognition Week in Washington, D.C. on April 28<sup>th</sup> through May 2<sup>nd</sup>. Emily represented the state of Georgia. She gave a brief summary of the conference and her trip

**XI. ADJOURNMENT**

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

**PSC ACTION:** Approved