

# MINUTES

## PROFESSIONAL STANDARDS COMMISSION

Two Piedmont Avenue

Atlanta, Georgia

October 10, 2013

The Georgia Professional Standards Commission (PSC) met on Thursday, October 10, 2013, at 12:30 p.m.

### **Members Present**

Julia Bernath  
Dr. Penny Elkins  
Dr. Adrian Epps  
Phil Jacobs  
David Johnson

Scott Justus  
Kamila Luigs  
Valerie Mateen  
Christy McGill  
Terrie Ponder

Carol Rivera  
Sheryl Stalvey  
Bettina Polite Tate  
Dr. Lawrence Walters  
Pam Walker  
Pam Williams

### **Members Absent**

Lauren Eckman  
Heath Garrett

## **I. WORK SESSION**

Anne Marie Fenton presented the Adjunct License rule. It was proposed that this rule be amended to broaden the adjunct fields beyond core academic subjects to include the performing arts fields of Dance and Drama and Career and Technical Education fields.

Penney McRoy presented a report to the Commissioners titled “The Network for Transforming Educator Preparation (NTEP)”. NTEP was established in 2013 by the Council of Chief State School Officers. The report addressed Georgia NTEP objectives and first year strategies.

Penney McRoy also congratulated Phyllis Payne for her work with the Georgia Charter Schools Association (GCSA) and for her continued work and leadership in supporting the non-traditional teacher preparation initiative. GCSA presented the Professional Standards Commission with the 2013 Georgia Charter Impact Award for this work.

Kelly Henson spoke briefly about our upcoming retreat that will be held in December at the Holiday Inn-Perimeter.

Chair Elkins introduced our newest Commission member, Carol Rivera. Carol teaches Biology at Marist School in Atlanta. She was awarded the Georgia Outstanding Biology Teacher of the year. The Commission is very excited to have her.

Julia Bernath told the Commission about the groundbreaking ceremony for the new school in College Park.

## **II. CALL TO ORDER**

Chair Elkins 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.

**III. ADOPTION OF AGENDA**

Chair Dr. Elkins called for approval of the agenda.

**MOTION:** (Dr. Adrian Epps / Pam Walker) To approve the agenda.

**PSC ACTION:** Approved

**IV. APPROVAL OF MINUTES**

Chair Elkins called for approval of the minutes from the September 12, 2013 Commission meeting.

**PSC ACTION:**

**V. VISITORS**

Chair Dr. Elkins welcomed the visitors.

- Margaret Elliott, Professional Association of Georgia Educators
- Linda Fortson, Warren Fortson Law Office
- Melissa McIntyre, Capella University

**VI. COMMITTEE REPORTS**

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

Chair Pam Walker of the Educator Ethics Review Committee (EERC), gave a preliminary review of the Cases.

1. Ms. Walker reported that the Committee reviewed 34 ***Probable Cause*** cases during its October 10, 2013, meeting and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>STANDARDS VIOLATED</u>	<u>RECOMMENDATION</u>
13-6-1141	1	Reprimand
13-6-1158	1	Reprimand
13-6-1159	1	Reprimand
13-6-1160	1	Denial
13-7-25	4, 9	Reprimand
11-6-1227	4,10	Suspension - 1 yr
12-2-885	1,5,10	Revoke
12-7-76	2,4,10	Revoke
12-7-153	1,4,9	Reprimand
12-7-211	2,10	Suspension - 1 yr
12-8-259	2, 9, 10	NPC
12-8-260	2, 9, 10	Suspension - 90 days
12-8-261	2, 9, 10	NPC

<u>CASE</u>	<u>STANDARDS VIOLATED</u>	<u>RECOMMENDATION</u>
12-8-269	1, 3, 10	NPC
12-10-434	2, 10	Suspension - 90 days
12-10-441	3, 5, 10	Suspension - 2 yrs
12-10-444	2, 10	Suspension - 10 days
12-10-446	2, 10	Suspension - 1 yr
12-10-454	1	NPC
13-1-642	1,2,10	Revoke
13-2-771	2, 9, 10	Reprimand
13-4-984	10	NPC
13-4-985	4,10	NPC
13-4-1012	7, 10, 11	Suspension - 2 yrs
13-4-1015	3, 10	Suspension - 1 yr
13-4-1019	1, 10	Suspension - 1 yr
13-5-1052	1, 4, 9	Reprimand
13-5-1097	2, 9, 10	Suspension - 90 days
13-5-1114	3, 10	Suspension - 30 days
13-6-1151	1, 4, 9	Reprimand
13-6-1185	5, 10	Suspension - 90 days
13-6-1237	1, 4, 9, 10	Suspension - 45 days
13-7-16	10, 11	Suspension - 90 days
13-8-121	8, 10	Suspension - 90 days

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

<u>CASE</u>	<u>PREVIOUS SANCTION</u>	<u>EERC RECOMMENDATION</u>
13-7-47	Denial / August 2011	Grant
13-8-67	Denial / May 2006	Grant

3. Ms. Walker reported that the Educator Ethics Review Committee reviewed 7 *Settlement Agreements* and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>SANCTION</u>	<u>EERC RECOMMENDATION</u>
* 11-9-401	Suspension - 2 yrs (retro)	Accept
13-4-934	Suspension - 1 year	Accept
13-4-941	Reprimand	Accept
13-4-949	Reprimand	Accept
13-4-974	Reprimand	Accept
13-4-1000	Suspension - 30 days	Accept

<u>CASE</u>	<u>SANCTION</u>	<u>EERC RECOMMENDATION</u>
13-5-1051	Reprimand	Accept

4. Ms. Walker reported that the Educator Ethics Review Committee reviewed 24 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>NEGOTIATED SANCTION</u>	<u>EERC RECOMMENDATION</u>
10-1-746	Reprimand	Accept
11-8-197	NPC	
10-5-1151	NPC	Accept
10-5-1152	Reprimand	Accept
11-1-716	Warning	Accept
11-1-717	Warning	Accept
11-1-718	NPC	Accept
11-1-719	NPC	Accept
11-1-720	Revocation	Accept
11-1-721	Vol Surrender	Accept
11-12-705	Vol Surrender	Accept
12-5-1270	Susp 20 days	Accept
12-7-74	Susp 15 days	Accept
12-7-164	Warning	Accept
12-7-178	NPC	Accept
12-7-196	Vol Surrender	Accept
12-10-450	Reprimand	Accept
12-10-452	Reprimand	Accept
12-12-578	Revocation	Accept
13-1-647	NPC	Accept
13-1-700	NPC	Accept
13-2-722	Susp 5 days	Accept
13-2-747	Susp 2 years	Accept
13-3-835	NPC	Accept
13-3-921	NPC	Accept

#### 5. OTHER BUSINESS

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

<u>CASE</u>	<u>STANDARDS</u>	<u>ORIGINAL</u>	<u>PROPOSED</u>	<u>EERC RECOMMEND</u>
NCO 12-1-777		Susp 90 days	Susp 5 days	Accept
NCO 12-1-778		Susp 90 days	Susp 5 days	Accept

<u>CASE</u>	<u>STANDARDS</u>	<u>ORIGINAL</u>	<u>PROPOSED</u>	<u>EERC RECOMMEND</u>
PID 13-10-258	4, 5 (a), 9, 10	Failed to disclose previous sanctions		Investigate
PCA 13-9-154	Multiple arrests including three felony charges of Cruelty to Children			Extend

6. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 34 new complaints received during the months of September and October 2013.

**7. VOLUNTARY SURRENDER**

The Educator Ethics Review Committee recommended approval of the 3 *Voluntary Surrenders* 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>
13-8-68	2, 10	Voluntary Surrender	Accept
13-8-124	2, 4	Voluntary Surrender	Accept
13-8-130	1, 2, 10	Voluntary Surrender	Accept

**8. EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS**

The Educator Ethics Review Committee recommended approval of the 28 Extensions - Preliminary Investigative Determinations consisting of the following:

13-9-217	13-9-221	13-9-230	13-10-237	13-10-244	13-10-255	13-10-260
13-9-218	13-9-222	13-9-231	13-10-238	13-10-245	13-10-256	13-10-261
13-9-219	13-9-228	13-10-35	13-10-239	13-10-246	13-10-257	13-10-262
13-9-220	13-9-229	13-10-236	13-10-240	13-10-254	13-10-259	13-10-263

**9. EXTENSIONS - INVESTIGATIONS**

The Educator Ethics Review Committee recommended granting an *Investigative Extension* to the following 244 cases:

<b>WRITTEN COMPLAINT EXTENSIONS</b>							
10-9-331	11-12-710	12-9-336	12-12-595	13-2-759	13-3-917	13-5-1061	13-6-1207
10-12-553	12-1-733	12-9-346	12-12-597	13-2-761	13-4-925	13-5-1064	13-6-1208
10-12-562	12-1-764	12-9-358	12-12-599	13-2-772	13-4-927	13-5-1065	13-6-1209
11-8-119	12-2-891	12-10-419	12-12-600	13-2-773	13-4-928	13-5-1066	13-6-1210
11-8-130	12-2-896	12-10-477	12-12-606	13-2-774	13-4-933	13-5-1076	13-6-1226
11-8-200	12-2-901	12-10-480	12-12-607	13-2-776	13-4-937	13-5-1080	13-6-1229

WRITTEN COMPLAINT EXTENSIONS							
11-9-284	12-3-974	12-10-482	12-12-610	13-2-778	13-4-944	13-5-1082	13-6-1230
11-9-304	12-3-978	12-11-505	12-12-613	13-2-780	13-4-953	13-5-1087	13-6-1231
11-9-337	12-3-1026	12-11-507	12-12-626	13-2-784	13-4-980	13-5-1088	13-6-1234
11-9-343	12-4-1120	12-11-510	13-1-633	13-2-786	13-4-981	13-5-1089	13-6-1239
11-9-355	12-4-1133	12-11-514	13-1-634	13-2-787	13-4-982	13-5-1096	13-6-1240
11-9-358	12-4-1137	12-11-516	13-1-637	13-2-788	13-4-983	13-5-1104	13-6-1241
11-9-359	12-4-1140	12-11-518	13-1-639	13-2-789	13-4-987	13-5-1108	13-6-1243
11-9-392	12-4-1141	12-11-523	13-1-640	13-2-801	13-4-994	13-5-1112	13-6-1244
11-9-396	12-5-1280	12-11-529	13-1-643	13-2-802	13-4-996	13-5-1137	13-6-1247
11-9-397	12-6-1328	12-11-530	13-1-646	13-3-832	13-4-1007	13-6-1149	13-6-1249
11-9-398	12-6-1329	12-11-531	13-1-650	13-3-833	13-4-1013	13-6-1162	13-6-1255
11-9-399	12-7-12	12-11-540	13-1-655	13-3-838	13-4-1016	13-6-1168	13-6-1258
11-9-402	12-7-48	12-11-545	13-1-658	13-3-841	13-4-1017	13-6-1176	13-6-1265
11-9-418	12-7-71	12-11-547	13-1-663	13-3-854	13-4-1018	13-6-1178	13-6-1274
11-9-419	12-7-72	12-11-552	13-1-679	13-3-859	13-4-1025	13-6-1179	13-6-1276
11-9-420	12-7-81	12-11-555	13-1-691	13-3-861	13-4-1028	13-6-1180	13-7-9
11-9-421	12-7-89	12-12-561	13-1-696	13-3-865	13-5-1032	13-6-1184	13-7-10
11-9-424	12-7-111	12-12-565	13-1-704	13-3-867	13-5-1040	13-6-1193	13-7-14
11-9-455	12-7-112	12-12-567	13-1-719	13-3-869	13-5-1043	13-6-1194	13-7-21
11-9-456	12-7-155	12-12-570	13-2-721	13-3-878	13-5-1046	13-6-1195	13-7-23
11-9-457	12-7-207	12-12-590	13-2-723	13-3-891	13-5-1047	13-6-1198	13-7-30
11-9-458	12-8-227	12-12-591	13-2-725	13-3-894	13-5-1049	13-6-1199	
11-9-459	12-8-228	12-12-592	13-2-755	13-3-904	13-5-1050	13-6-1202	
11-11-600	12-8-263	12-12-593	13-2-756	13-3-905	13-5-1056	13-6-1205	
11-12-702	12-8-264	12-12-594	13-2-757	13-3-907	13-5-1057	13-6-1206	

## 10. APPLICATIONS FOR CERTIFICATION REPORT

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 23 cases reflected on the *Applications for Certification Report*.

## 11. FINAL DECISIONS BY OPERATION OF LAW

The Commission reviewed the report, which advised of 1 case 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.

## 12. FINAL DECISION

The Commission reviewed the Final Decision below and voted to recommend the following action for approval by the Professional Standards Commission:

CASE	ORIGINAL SANCTION	ALJ SANCTION	EERC RECOMMENDATION
12-10-462	Denial	Grant / Reprimand	Accept

Chair Elkins called for approval of the Educator Ethics Review Committee report as presented by Pam Walker excluding case # 12-10-450 and 13-3-921.

**PSC ACTION:** Approved

Abstention: Carol Rivera – case # 13-10-258, Kamila Luigs – case #'s 13-9-182, 13-9-183,84, 13-9-185, 13-9-186 and 13-6-1160, Julia Bernath – case # 12-2-885, Pam Walker – case #'s 13-9-213, Bettina Tate – case #'s 10-1-746, 11-8-197 and 13-9-154

**Negotiated Consent Order Case # 12-10-450**

**MOTION:** (Kami Luigs / Phil Jacobs) To Reject the Reprimand.

**PSC ACTION:** Approved

Opposed: Bettina Tate, Valerie Mateen, Pam Williams, Terrie Ponder

**Negotiated Consent Order Case # 13-3-921**

**MOTION:** (Christy McGill / Kami Luigs) To Accept the No Probable Cause.

**PSC ACTION:** Approved

**B. Educator Preparation Standing Committee**

Committee Chair, Dr. Adrian Epps, presented the report of the Educator Preparation Standing Committee.

	<b>Unit Number</b>	<b>October 2013 Detailed Approval Recommendations</b>
1.	Gordon State College (10037)	For EPP 10037, the Committee recommends the Progress Report submitted August 18, 2013, is satisfactory, and the areas for improvement cited for Standard 4 (Element a and d) for the English Education and History Education programs (6-12; Initial; B.A.) shall be removed.
2.	Spelman College (3150)	For EPP 3150, the Committee recommends the Progress Report submitted June 20, 2013, is satisfactory, and the Standard 8 areas for improvement cited for the English Education (6-12; Initial; B.A. & Certification Only), and Spanish Education programs (P-12; Initial; Certification Only), shall be removed.
3.	University of Georgia (5080)	For EPP 5080, the Committee recommends the Progress Report submitted April 29, 2013, is satisfactory, and the areas for improvement cited for Standard 1 (Element g) and Standard 2 (Element a, b, c) for the Educational Leadership (PL7; P-12; Initial; Doctoral and Certification Only); (PL6; P-12; Initial; Specialist and Certification Only) program, shall be removed.  The Committee further recommends the Not Met finding for Standard 2 be changed to Met for the Educational Leadership (PL7; P-12; Initial; Doctoral and Certification Only); (PL6; P-12; Initial; Specialist and Certification Only) program.
4.	Okefenokee RESA (8884)	For EPP 8884, the Committee recommends that while the Progress Report submitted June 10, 2013, indicates progress is satisfactory in addressing the areas for improvement for Standard 2 (Element a & b) and Standard 3 (Element a, b, c) for the Gifted In-Field Endorsement, the areas for improvement shall remain until the Probationary Review scheduled for January 2014.
5.	Georgia Regents University (5270)	For EPP 5270, the Committee recommends the Progress Report submitted June 10, 2013, is satisfactory in addressing areas for improvement for Standard 1 (element a) resulting from the Spring 2012 Continuing Approval Review. All areas for improvement shall be removed for the Biology Education Program (6-12; Initial; M.A.T.), and for the Middle Grades Education Program (4-8; Initial; B.S.).

	Unit Number	October 2013 Detailed Approval Recommendations
		<p>The Committee further recommends rescinding the May 2013 approval decision where the request was made for a Focused Visit within two years addressing the Not Met finding for Standard 8 for the Health and Physical Education Program (P-12; Initial; B.S. and M.A.T.).</p> <p>Additionally, the Committee recommends the Not Met Finding for Standard 8 be changed to Met.</p>
6.	Capella University (10195)	<p>For EPP 10195 Committee recommends the submission of a report addressing its failure to comply with GaPSC Rules for the Educational Leadership programs by October 31, 2013.</p> <p>Additionally, the Committee recommends a presentation by the head of the educator preparation provider or his/her designee to the Educator Preparation Standing Committee at the November 14, 2013, meeting. The presentation shall address Capella University's compliance with GaPSC Educator Preparation rules.</p>

Chair Elkins called for approval of the Educator Preparation/Certification Committee report as presented by Chair Epps.

**PSC ACTION:** Approved

**VII. RULES**

Anne Marie Fenton presented the Certification rule for initiation.

**MOTION:** (Pam Walker / Dr. Adrian Epps) 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 January 15, 2013, follows: 505-2-.40.

**PSC ACTION:** Approved

**VIII. ADJOURNMENT**

Chair Dr. Elkins called for the meeting to be adjourned at 1:10 p.m.

**PSC ACTION:** Approved