

MINUTES

PROFESSIONAL STANDARDS COMMISSION

Two Peachtree Street

Atlanta, Georgia

January 10, 2008

The Georgia Professional Standards Commission (PSC) met on Thursday, January 10, 2008, at 9 a.m.

Members Present

Stephen Dartt
Maria Bradley
Jean Ebron
Emily Jennette

Maria Miller
Dr. Louisa Moffitt
Dr. Mary Outlaw
Rose Powell

Jeannie Tucker
Hester Vasconcelos
Dr. Debbie Wilkes

Members Absent

Gary Bechtel
Dr. Craig Smith

Sallie Bullock
Pamela Greenway

Lee Muns
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: (Vasconcelos / Miller) To approve the agenda.

PSC ACTION: Approved

III. APPROVAL OF MINUTES

Chair Wilkes called for approval of the minutes from the December 12, 2007, Commission meeting.

PSC ACTION: Approved

IV. RECOGNITION OF VISITORS

Chair Wilkes recognized the visitors.

- Margaret Elliott, Professional Association of Georgia Educators
- Bill Ware, Georgia Association of Colleges for Teacher Education
- Wright Gammond, Attorney for Lori Hughes
- Lori Hughes
- John Hooper, Georgia School Superintendents Association
- Angela David

V. 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 31 **Probable Cause** cases during its January 9, 2008, meeting and brought the following recommendations on behalf of the Committee:

#	CASE #	Applicant	STANDARDS VIOLATED	RECOMMENDATION
1	07-6-1538	Property Rights	Professional Conduct	Reprimand
2	07-6-1539	APPLICANT	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report Action Taken in Another State	Denial
3	07-6-1568	Property Rights	Criminal Acts Misrepresentation or Falsification	Reprimand
4	07-7-10	Property Rights	OCGA 16-13-111 Criminal Acts Failure to Make a Required Report	No Probable Cause
5	07-7-67	Property Rights	Criminal Acts Misrepresentation or Falsification	Reprimand
6	07-8-130	Property Rights	Criminal Acts Misrepresentation or Falsification	Reprimand
7	07-8-131	Property Rights	Criminal Acts Misrepresentation or Falsification	Reprimand
8	07-9-196	Property Rights	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	Reprimand
9	07-9-197	Property Rights	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	Reprimand
10	07-5-1326	Property Rights	Public Funds and Property Professional Conduct	Revocation
11	07-5-1350	Property Rights	Confidential Information Professional Conduct	Suspension – One Year
12	07-6-1586	Property Rights	Abuse of Students Professional Conduct	Suspension – 20 Contract Days
13	07-6-1647	Property Rights	Abuse of Students Professional Conduct	No Probable Cause
14	07-7-60	APPLICANT	Misrepresentation or Falsification	Denial

#	CASE #	Applicant	STANDARDS VIOLATED	RECOMMEND- ATION
15	07-7-65	Property Rights	Abuse of Students Professional Conduct	Reprimand
16	07-8-117	Property Rights	Professional Conduct	Extend Probable Cause Determination Until March 13, 2008
17	07-8-166	Property Rights	Public Funds and Property Professional Conduct	Suspension – 90 Contract Days
18	07-8-167	Property Rights	Public Funds and Property Professional Conduct	Suspension – 20 Contract Days
19	07-9-255	Property Rights	Abuse of Students Professional Conduct	Suspension – 20 Contract Days
20	07-9-257	Property Rights	Professional Conduct	Reprimand
21	07-10-297	Property Rights	Abuse of Students Professional Conduct	Suspension – 30 Contract Days
22	07-10-308	Property Rights	Misrepresentation or Falsification Professional Conduct	No Probable Cause
23	07-10-323	Property Rights	Professional Conduct	Reprimand
24	07-10-324	Property Rights	Abuse of Students Professional Conduct	Suspension – 90 Contract Days
25	07-10-326	Property Rights	Professional Conduct Rule 505-6-.01 (5) (a) 5 + Criminal Acts	Extend Probable Cause Determination Pending Outcome of Criminal Conviction
26	07-10-331	Property Rights	Public Funds and Property Professional Conduct	Suspension – One Year
27	07-10-335	Property Rights	Public Funds and Property Professional Conduct	Suspension – 20 Contract Days
28	07-10-336	Property Rights	Public Funds and Property Professional Conduct	Suspension – 20 Contract Days
29	07-10-346	Property Rights	Professional Conduct	Reprimand
30	07-10-350	Property Rights	Professional Conduct	Suspension – 5 Contract Days
31	07-11-394	Property Rights	Misrepresentation or Falsification	Suspension – 20 Contract Days

PSC ACTION: Approved

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

CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	ADMINISTRATIVE LAW JUDGE SANCTION	RECOMMENDATION
06-3-1034	Misrepresentation or Falsification Public Funds and Property Professional Conduct	Revocation	Reprimand	Review

PSC ACTION: Approved

3. Ms. Miller reported that the Educator Ethics Review Committee reviewed 1 *Petitions Issue* and brought the following recommendations on behalf of the Committee:

CASE NUMBER	REQUEST	PREVIOUS SANCTION	PREVIOUS VIOLATION	RECOMMENDATION
07-12-483	Right to Reapply	Denial – 10/14/2004	Criminal Acts Professional Conduct	Grant Right to Reapply

PSC ACTION: Approved

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

#	CASE NUMBER	SANCTION	RECOMMENDATION
1	07-4-1201	Suspension – 20 Contract Days (15 days Credit April 16, 2007 – May 4, 2007) 5 Days to Serve – Jan. 28, 2008 – Feb. 1, 2008	Accept
2	07-5-1282	Suspension – 20 Contract Days Jan. 31, 2008 – Feb. 29, 2008	Accept
3	07-6-1394	Suspension – 90 Contract Days Jan. 28, 2008 – Aug. 1, 2008	Accept
4	07-6-1491	Reprimand	Accept
5	07-8-113	Reprimand	Accept

PSC ACTION: Approved

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

CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION	RECOMMENDATION
05-7-1	Criminal Acts Professional Conduct	Revocation	Suspension – 1 Year	Accept
05-11-653	Criminal Acts Professional Conduct	Revocation	Suspension – 2 Years (1 year Retroactive) Jan. 11, 2007 – Jan. 11, 2009	Accept
06-10-417	Abuse of Students Professional Conduct	Suspension – 20 Contract Days	No Probable Cause	Reject

CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION	RECOMMENDATION
07-1-784	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct Action Taken Against Out of State Certificate	Suspension – 90 Contract Days	Suspension – 90 Contract Days (Begins Retroactive) Jan. 4, 2008 – May 19, 2008	Accept
07-6-1439	Criminal Acts Misrepresentation or Falsification	Reprimand	No Probable Cause	Accept

PSC ACTION: Approved

6. **OTHER BUSINESS**

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

CASE NUMBER	DESCRIPTION	ORIGINAL PROBABLE CAUSE DETERMINATION	RECOMMENDED REVISED PROBABLE CAUSE DETERMINATION
07-1-798	The Applicant answered "yes" to having a criminal history on PSC application. Bad Check, 1997/12/04, Convicted - Paid-\$45.00. Bad Check 1998/03/24 - UNK. Bad Check, 1999/02/04 - Convicted. Bad Check, 1999/06/25 - UNK. Bad Check, 2006/02/15 Fine \$100.00 Cost Restitution.	Denial	Reprimand

PSC ACTION: Approved

7. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 64 new complaints received during the months of December 2007 and January 2008.

PSC ACTION: Approved

8. **EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS**

The Educator Ethics Review Committee recommended approval of the 33 *Extensions - Preliminary Investigative Determinations* consisting of the following:

#	CASE #	Complaint Received	#	CASE #	Complaint Received
1.	07-12-562	November 27, 2007	18.	07-12-579	December 6, 2007
2.	07-12-563	December 3, 2007	19.	07-12-580	December 6, 2007
3.	07-12-564	December 3, 2007	20.	07-12-581	December 6, 2007
4.	07-12-565	December 3, 2007	21.	07-12-582	December 6, 2007
5.	07-12-566	December 3, 2007	22.	07-12-583	December 6, 2007
6.	07-12-567	December 10, 2007	23.	07-12-584	December 7, 2007
7.	07-12-568	December 3, 2007	24.	07-12-585	December 7, 2007
8.	07-12-569	December 3, 2007	25.	07-12-586	December 10, 2007

#	CASE #	Complaint Received	#	CASE #	Complaint Received
9.	07-12-570	December 3, 2007	26.	07-12-587	December 10, 2007
10.	07-12-571	December 3, 2007	27.	07-12-588	December 10, 2007
11.	07-12-572	December 3, 2007	28.	07-12-589	December 10, 2007
12.	07-12-573	December 3, 2007	29.	07-12-590	December 10, 2007
13.	07-12-574	December 3, 2007	30.	07-12-591	December 10, 2007
14.	07-12-575	December 4, 2007	30.	07-12-592	December 10, 2007
15.	07-12-576	December 4, 2007	32.	07-12-593	December 10, 2007
16.	07-12-577	December 4, 2007	33.	07-12-594	December 10, 2007
17.	07-12-578	December 5, 2007			

PSC ACTION: Approved

9. **EXTENSIONS - INVESTIGATIONS**

The Educator Ethics Review Committee recommended granting an *Investigative Extension* to the following 64 Written Complaint cases and 72 Application cases:

WRITTEN COMPLAINT EXTENSIONS:

07-6-1516	07-8-120	07-5-1249	07-6-1577	07-9-237	07-8-162	07-10-305	07-6-1525	07-9-205	07-10-341
07-6-1517	07-9-217	07-5-1263	07-6-1579	07-10-298	07-8-171	07-10-306	07-6-1526	07-9-210	
07-6-1648	07-9-229	07-5-1287	07-7-40	07-10-337	07-8-172	07-10-307	07-6-1582	07-10-318	
07-7-37	07-9-239	07-5-1335	07-8-110	07-10-349	07-9-212	07-10-315	07-7-41	07-10-325	
07-7-42	07-10-314	07-5-1336	07-8-118	07-8-132	07-9-258	07-5-1285	07-8-106	07-10-332	
07-8-103	07-10-342	07-6-1373	07-8-137	07-8-143	07-9-259	07-5-1340	07-8-122	07-10-343	
07-8-108	07-10-345	07-6-1393	07-8-147	07-8-146	07-9-272	07-6-1398	07-8-173	07-10-351	

APPLICATION CASE EXTENSIONS:

07-6-1564	07-8-104	07-10-301	07-12-512	07-12-524	07-12-535	07-12-547	07-12-557
07-6-1639	07-8-135	07-11-357	07-12-513	07-12-525	07-12-536	07-12-548	07-12-558
07-6-1658	07-8-145	07-11-427	07-12-514	07-12-526	07-12-537	07-12-549	
07-6-1660	07-9-191	07-11-431	07-12-516	07-12-527	07-12-538	07-12-550	
07-7-1	07-9-204	07-11-433	07-12-517	07-12-528	07-12-539	07-12-551	
07-7-6	07-9-226	07-11-435	07-12-518	07-12-529	07-12-540	07-12-552	
07-7-8	07-9-247	07-11-437	07-12-520	07-12-530	07-12-542	07-12-553	
07-7-38	07-9-249	07-11-438	07-12-521	07-12-532	07-12-543	07-12-554	
07-7-51	07-9-262	07-12-505	07-12-522	07-12-533	07-12-545	07-12-555	
07-7-74	07-9-283	07-12-511	07-12-523	07-12-534	07-12-546	07-12-556	

PSC ACTION: Approved

10. **APPLICATIONS FOR CERTIFICATION REPORT**

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

PSC ACTION: Approved

11. **REVIEW HEARING EXTENSION**

The Commission reviewed the *Review Hearing Extensions Report* concerning 1 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 12 certificates *suspended* from December 13, 2007 through January 10, 2008. There were 6 certificates that had been *reinstated* because restitution is now being made on those student loans. The Committee was also advised that there was 1 issue 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 12 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.

B. Educator Preparation Standing Committee

Dr. Mary Outlaw, presented the report of the Educator Preparation Standing Committee.

Three members of the Educator Preparation Standing Committee met on January 9, 2008 to consider approval requests of the six institutions 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.

I will read each recommendation one-at-a-time and pause for a motion, a second, discussion, and a vote.

Institution/Agency-Recommendation

Clark Atlanta University-The Educator Preparation Standing Committee recommends Developmental Approval for the initial educator preparation programs in Early Childhood Education, Mathematics Education, Science Education, and Special Education – General Curriculum.

MOTION: (Miller / Ebron) To accept the Educator Preparation Standing Committee recommendation for Clark Atlanta University.

PSC ACTION: Approve

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Metropolitan RESA-The Educator Preparation Standing Committee recommends Developmental Approval for the Teacher Support Specialist endorsement program.

MOTION: (Vasconcelos / Powell) To accept the Educator Preparation Standing Committee recommendation for Metropolitan RESA.

PSC ACTION: Approve

Georgia Southwestern State University-The Educator Preparation Standing Committee recommends Developmental Approval for the Special Education, General Curriculum program.

The Educator Preparation Standing Committee recommends Continuing Approval for the initial educator preparation programs in Early Childhood Education, English Education, Health and Physical Education, History Education, Mathematics Education, and Middle Grades Education. A Progress Report addressing all areas for improvement is due July 1, 2008.

The Educator Preparation Standing Committee recommends Revocation of Approval for the initial Reading Specialist program, and the advanced preparation programs in Early Childhood Education, English Education, Health and Physical Education, History Education, Mathematics Education, and Middle Grades Education.

MOTION: (Bradley / Moffitt) To accept the Educator Preparation Standing Committee recommendation for Georgia Southwestern State University.

PSC ACTION: Approve

Wesleyan College-The Educator Preparation Standing Committee recommends that the Wesleyan College Progress Report submitted September 10, 2007 demonstrates that progress is satisfactory. The areas for improvement shall remain.

MOTION: (Moffitt / Ebron) To accept the Educator Preparation Standing Committee recommendation for Wesleyan College.

PSC ACTION: Approve

Chattahoochee-Flint RESA-The Educator Preparation Standing Committee recommends that the Chattahoochee-Flint RESA Progress Report addressing areas for improvement cited for the Reading endorsement program demonstrates that progress is satisfactory. The areas for improvement shall remain. In a subsequent progress report, the RESA is advised to include a list of the dispositions expected of Reading endorsement program completers.

MOTION: (Moffitt / Ebron) To accept the Educator Preparation Standing Committee recommendation for Chattahoochee-Flint RESA and add a due date of March 15th, 2008 for the next progress report.

PSC ACTION: Approve

West Georgia RESA-The Educator Preparation Standing Committee recommends that the West Georgia RESA Progress Report addressing areas for improvement cited for the Teacher Support Specialist endorsement program demonstrates that progress is satisfactory in addressing Standard 1, Element 5 and Standard 7. The areas for improvement cited for these Standards shall be removed.

The Educator Preparation Standing Committee recommends that progress is satisfactory in addressing Standards 2 and 6; however, the areas for improvement cited for these Standards shall remain.

MOTION: (Miller / Powell) To accept the Educator Preparation Standing Committee recommendation for

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West Georgia RESA.

PSC ACTION: Approve

VI. REVIEW HEARINGS

- | | |
|-------------------------|------------------------------|
| 1. Lori Thompson Hughes | - Educator (Case # 05-7-156) |
| Wayne Magnum | - Hearing Officer |
| Penny Hannah | - PSC Attorney |
| W. Wright Gammond, Jr. | - Attorney |

MOTION: (Miller / Powell) To go into Executive Session and allow PSC staff (Gary Walker, Tanis Miller and Lisa Hartzler) to remain.

ACTION: Approved

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

ACTION: Approved

MOTION: (Vasconcelos / Miller) To adopt the Findings of Fact and Conclusions of Law reached by the Administrative Law Judge. The Decision of the Administrative Law Judge as indicated in the Initial Decision was hereby adopted and incorporated by reference herein and made the Final Decision of the Commission with the following specification. The Commission hereby ordered that the Georgia educator certificate held by Lori Thompson Hughes be Suspended for a period of One Year. The period of suspension shall begin on January 28, 2008 and shall conclude on January 28, 2009.

PSC ACTION: Approved

Opposed: Jean Ebron

- | | |
|-----------------|-------------------------------|
| 2. Angela David | - Educator (Case # 05-4-1569) |
| Wayne Magnum | - Hearing Officer |
| Penny Hannah | - PSC Attorney |

MOTION: (Vasconcelos / Miller) To go into Executive Session and allow PSC staff (Gary Walker, Tanis Miller and Lisa Hartzler) to remain.

ACTION: Approved

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

ACTION: Approved

MOTION: (Powell / Miller) To adopt the Findings of Fact and Conclusions of Law reached by the Administrative Law Judge. The Decision of the Administrative Law Judge as indicated in the Initial Decision was hereby adopted and incorporated by reference herein and made the Final Decision of the Commission with the following specification. The Commission hereby ordered that the Georgia educator certificate held by Angela David be Suspended for a period of 60 Contract Days. The period of suspension shall begin on January 28, 2008 and shall conclude on April 25, 2008.

PSC ACTION: Approved

VII. EXECUTIVE SECRETARY REPORT

The Executive Secretary presented the following:

A. Mr. Henson announced that Dr. David Hill will be the new Division Director of Educator Preparation. He is currently a Professor of Ed Leadership at West Georgia RESA and he has an outstanding background in k-12 and higher education.

Dr. Hill arrived towards the end of the commission meeting and Mr. Henson asked him to speak to the commissioners briefly. Dr. Hill spoke about his background and said that he was looking forward to working for the Professional Standards Commission and with the Commissioners.

B. Our April 10, 2008, commission meeting falls during many of the commissioners' spring break. Mr. Henson asked for a show of hand if any commissioners felt that they would not be able to attend the meeting to see if we would have a quorum. Only two commissioners said that they would not be able to attend which would enable us to have a quorum in April.

C. Kelly Henson introduced initiation of rulemaking to amend Chapter 505-2 Certification. This proposed rule changes the definition of Leadership Position so that a Leadership Certificate is not required for those supervising positions that do not require a certificate.

It is recommended that the Professional Standards commission authorize its Executive Secretary 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 April 15, 2008 as follows: 505-2-.300.

MOTION: (Bradley / Powell) To authorize the Executive Secretary to initiate rulemaking procedures to amend the current rules in Chapter 505-2 Certification..

ACTION: Approved

D. We will have our retreat in March at Lake Blackshear in Cordele, Georgia. The retreat will be held on March 11th and 12th and the commission meeting will be held on March 13th. Please send me any items that you would like to be covered at the retreat.

E. Dr. Gary Walker spoke briefly and gave the commissioners hand-outs on the following:

- Making Sense of Ethics
- Cases at the AG's office
- Code of Ethics Revision Schedule

VIII. CHAIR'S REPORT

Chair Wilkes presented the following:

A. The Joint Education Boards Liaison Committee reception will be held on Monday, January 28th from 5:30 p.m. to 7 p.m. in our boardroom at Two Peachtree Street. Chair Wilkes asked for a show of hands if they would be able to attend. Only two commissioners said that they would not be able to attend the reception.

B. Our February 14, 2008 commission meeting will be held at Two Peachtree Street, 5th floor Boardroom.

IX. ADJOURNMENT

Chair Wilkes called for the meeting to be adjourned at 11:15 a.m.

PSC ACTION: Approved