

MINUTES

PROFESSIONAL STANDARDS COMMISSION

DHR Board Room

Two Peachtree Street

Atlanta, Georgia 30303-3141

July 8, 2004

The Georgia Professional Standards Commission (PSC) met on Thursday, July 8, 2004, at 9 a.m.

Members Present

Jean Ebron
Terri DeLoach
Amy Denty
Mary Gomez

Stephen Dartt
Dottie McClain
Maria Miller
Janet Scott

Bo Slack
Dr. Craig Smith
Dr. Debbie Wilkes
Gary Bechtel

Members Absent

Carolyn Lee Hart
Gwenda Johnson

Lee Muns

I. CALL TO ORDER

Chair DeLoach called the meeting to order at 9:03 a.m. and led the Pledge of Allegiance to the U.S. flag and a moment of silence.

II. RECOGNITION OF VISITORS

Chair DeLoach recognized the visitors.

- Margaret Elliott, Professional Association of Georgia Educators
- Gayle Wooten, Professional Association of Georgia Educators
- Mike McGonigle, Georgia Association of Educators (GAE)
- D. Aileen Dodd, Atlanta Journal Constitution
- John Hooper, GA. School Superintendents Association
- Deidre Johnson, Kramer & Thomas
- J. Dolde, Attorney Generals Office

III. EMPLOYEE RECOGNITION AWARDS

Chair DeLoach recognized the following employees for years of service:

Connie Robinson – 30 Years of Service
Lissa Johnson – 25 Years of Service
Joy Lamar – 15 Years of Service

IV. ADOPTION OF AGENDA

Chair DeLoach called for approval of the agenda.

9/14/2004

Page 2

MOTION: (Slack / Gomez) To approve agenda.

PSC ACTION: Approved

V. APPROVAL OF MINUTES

Chair DeLoach called for approval of the minutes from the June 10, 2004, Commission meeting.

PSC ACTION: Approved

VI. COMMITTEE REPORTS

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

Commissioner Janet Scott, Chair of the Educator Ethics Review Committee (EERC), gave a preliminary review of the Cases.

1. Ms. Scott reported that the Committee reviewed 72 ***Probable Cause*** cases during its July 7, 2004, meeting and brought the following recommendations on behalf of the Committee excluding cases 24-34:

PC #	Case Number	STANDARD(S)	EERC Recommendation
1	04-3-1273	Abandonment of Contract	Suspension for Six Months
2	04-3-1325	Abandonment of Contract	Suspension for Six Months
3	04-3-1380	Abandonment of Contract	Suspension for Six Months
4	04-4-1472	Abandonment of Contract	Suspension for Six Months
5	04-4-1491	Abandonment of Contract	Suspension for Six Months
6	04-4-1501	Abandonment of Contract Professional Conduct	Suspension for Six Months
7	04-4-1523	Abandonment of Contract	Suspension for Six Months
8	04-4-1535	Abandonment of Contract	No Probable Cause
9	04-4-1463	Abuse of Students Failure to Make a Required Report Professional Conduct	Suspension for One Week
10	04-4-1465	Abuse of Students Professional Conduct Criminal Acts	Revocation
11	04-4-1477	Abuse of Students Professional Conduct	No Probable Cause

PC #	Case Number	STANDARD(S)	EERC Recommendation
12	04-4-1490	Abuse of Students Professional Conduct	Suspension for One Month
13	04-4-1529	Abuse of Students Professional Conduct	Reprimand
14	04-4-1534	Abuse of Students Professional Conduct	No Probable Cause
15	04-4-1515	Alcohol or Drugs Professional Conduct	Suspension for Two Weeks
16	04-4-1540	Alcohol or Drugs Professional Conduct	Reprimand
17	04-4-1541	Alcohol or Drugs Professional Conduct	Reprimand
18	04-2-1163	Criminal Acts Abuse of Students Professional Conduct	No Probable Cause
19	04-3-1222 Applicant (ADDENDUM)	Criminal Acts Professional Conduct	Extend Probable Cause Determination until September 9, 2004
20	04-5-1604 Applicant	Criminal Acts	No Probable Cause
21	04-5-1678	Criminal Acts	Extend Probable Cause Determination until September 9, 2004 With Letter of Intent
22	04-4-1493	Failure to Make a Required Report Professional Conduct	No Probable Cause
23	04-4-1504	Failure to Make a Required Report Professional Conduct	No Probable Cause
24	04-3-1381	Misrepresentation or Falsification Public Funds and Property Criminal Acts Professional Conduct	Revocation
25	04-4-1408	Misrepresentation or Falsification Public Funds and Property Criminal Acts Professional Conduct	Revocation

PC #	Case Number	STANDARD(S)	EERC Recommendation
26	04-4-1409	Misrepresentation or Falsification Public Funds and Property Criminal Acts Professional Conduct	Revocation
27	04-4-1411	Misrepresentation or Falsification Public Funds and Property Criminal Acts Professional Conduct	Revocation
28	04-4-1412	Misrepresentation or Falsification Public Funds and Property Criminal Acts Professional Conduct	Revocation
29	04-4-1413	Misrepresentation or Falsification Public Funds and Property Criminal Acts Professional Conduct	Revocation
30	04-4-1416	Misrepresentation or Falsification Public Funds and Property Criminal Acts Professional Conduct	Revocation
31	04-4-1417	Misrepresentation or Falsification Public Funds and Property Criminal Acts Professional Conduct	Revocation
32	04-4-1418	Misrepresentation or Falsification Public Funds and Property Criminal Acts Professional Conduct	Revocation
33	04-4-1419	Misrepresentation or Falsification Public Funds and Property Criminal Acts Professional Conduct	Revocation
34	04-4-1420	Misrepresentation or Falsification Public Funds and Property Criminal Acts Professional Conduct	Revocation
35	04-4-1458	Misrepresentation or Falsification	Warning
36	04-4-1462	Misrepresentation or Falsification Failure to Make a Required Report Criminal Acts	Warning
37	04-4-1473	Misrepresentation or Falsification	Suspension for One Month
38	04-4-1475	Misrepresentation or Falsification	Reprimand
39	04-4-1495	Misrepresentation or Falsification Failure to Make a Required Report Criminal Acts	Warning
40	04-4-1514	Misrepresentation or Falsification	Warning
41	04-4-1524	Misrepresentation or Falsification	Reprimand

PC #	Case Number	STANDARD(S)	EERC Recommendation
42	04-4-1525	Misrepresentation or Falsification	Suspension for One Year
43	04-4-1527	Misrepresentation or Falsification Failure to Make a Required Report Criminal Acts	Warning
44	04-4-1528	Misrepresentation or Falsification Professional Conduct	Suspension for Two Weeks
45	04-4-1538	Misrepresentation or Falsification Professional Conduct	Suspension for One Week
46	04-4-1542	Misrepresentation or Falsification Professional Conduct	Suspension for One Week
47	04-5-1608	Misrepresentation or Falsification	Warning
48	04-5-1612	Misrepresentation or Falsification	Warning
49	04-5-1622	Misrepresentation or Falsification Failure to Make a Required Report	Warning
50	04-5-1627	Misrepresentation or Falsification Failure to Make a Required Report	Warning
51	04-5-1629	Misrepresentation or Falsification Criminal Acts	No Probable Cause
52	04-5-1639	Misrepresentation or Falsification Professional Conduct	Suspension for Six Months
53	04-3-1350	Professional Conduct	Warning
54	04-3-1356	Professional Conduct Misrepresentation or Falsification Confidential Information	Suspension for One Week
55	04-3-1357	Professional Conduct Misrepresentation or Falsification Confidential Information	Reprimand
56	04-3-1365	Failure to Make a Required Report Professional Conduct	Reprimand
57	04-4-1449 Applicant	Professional Conduct	No Probable Cause
58	04-4-1451	Professional Conduct	Warning
59	04-4-1479	Professional Conduct	No Probable Cause
60	04-4-1492	Professional Conduct	No Probable Cause
61	04-4-1496	Professional Conduct	Suspension for One Week
62	04-4-1497 (Addendum)	Professional Conduct	Suspension for One Week

PC #	Case Number	STANDARD(S)	EERC Recommendation
63	04-4-1498 (Addendum)	Professional Conduct	Suspension for One Week
64	04-4-1500	Professional Conduct	Suspension for One Week
65	04-4-1502	Professional Conduct	Reprimand
66	04-4-1503	Professional Conduct	Reprimand
67	04-4-1516	Professional Conduct Abuse of Students	Reprimand
68	04-4-1519	Professional Conduct Misrepresentation or Falsification	Suspension for One Month
69	04-4-1531	Professional Conduct	Warning
70	04-4-1532	Professional Conduct	Reprimand
71	04-4-1539	Professional Conduct Abuse of Students	No Probable Cause
72	04-4-1489	Public Funds and Property Professional Conduct	Suspension for One Year

PSC ACTION: Approved

Cases # 24 through 34

MOTION: (Gomez / Denty) To accept the EERC recommendations for cases 24 through 34.

PSC ACTION: Approved

Opposed: Stephen Dartt – Case # 24, 26, 27, 28, 29, 30, 31, 32, 33, 34

Abstention: Bo Slack – Case # 33, Stephen Dartt – Case #25, Maria Miller – Case #29

2. Ms. Scott reported that the Educator Ethics Review Committee reviewed 5 *Initial Decisions* and brought the following recommendations on behalf of the Committee:

Case Number	Ethical Violation	ALJ Initial Decision	EERC Recomm.
03-01-1414	Criminal Acts Professional Conduct	No Probable Cause	Accept
03-01-1427	Criminal Acts Professional Conduct	Suspension for Two Years	Accept
03-02-1664	Misrepresentation or Falsification Public Funds and Property	Warning	Accept
03-05-2141	Abuse of Students Professional Conduct	Suspension for Six Months	Accept

Case Number	Ethical Violation	ALJ Initial Decision	EERC Recomm.
03-04-1937	Misrepresentation or Falsification	Reprimand Monitoring - One Year (4 Quarters)	Accept

PSC ACTION: Approved

3. Ms. Scott reported that the Educator Ethics Review Committee reviewed 13 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee:

Case Number	Violation	Negotiated Proposal	EERC Recomm.
03-03-1721	Misrepresentation or Falsification: Professional Qualifications Professional Conduct	Revocation (Special Condition: Allowed to Petition for Right to Reapply in 2 yr.)	Reject
03-11-814	Criminal Acts; Professional Conduct	Reprimand	Accept
03-06-2397	Abuse of Students; Professional Conduct	Reprimand	Accept
02-12-1365	Professional Conduct	Suspension for One Month	Accept
03-07-118	Misrepresentation or Falsification: Evaluation Professional Conduct	Suspension for Two Weeks	Reject
03-11-800	Professional Conduct	Monitoring for 5 Years ❖ Quarterly Reports from Treating Psychiatrist ❖ Academic Performance in Special Education	Reject
03-01-1491	Abuse of Students; Professional Conduct Misrepresentation or Falsification	Suspension for One Week	Accept
03-06-2262	Abuse of Students; Professional Conduct	Suspension for Three Years	Accept
03-07-48	Misrepresentation or Falsification Abandonment of Contract; Professional Conduct	Suspension for One Week - (To Begin 15 Days after Acceptance)	Accept
03-11-753	Abuse of Students; Professional Conduct	Suspension for One Year	Accept
03-02-1612	Misrepresentation or Falsification Professional Conduct	Reprimand	Accept
03-06-2355	Misrepresentation or Falsification Professional Conduct	Warning	Reject
03-09-337	Abuse of Students; Professional Conduct	Revocation	Accept

PSC ACTION: Approved

4. Ms. Scott reported that the Educator Ethics Review Committee reviewed 18 *Settlement Agreements* and brought the following recommendations on behalf of the Committee:

04-6-1707	04-6-1717	04-6-1727	04-6-1737	04-6-1747	04-6-1757
04-6-1708	04-6-1718	04-6-1728	04-6-1738	04-6-1748	04-6-1758
04-6-1709	04-6-1719	04-6-1729	04-6-1739	04-6-1749	04-6-1759
04-6-1710	04-6-1720	04-6-1730	04-6-1740	04-6-1750	04-6-1761
04-6-1711	04-6-1721	04-6-1731	04-6-1741	04-6-1751	04-6-1762
04-6-1712	04-6-1722	04-6-1732	04-6-1742	04-6-1752	04-6-1763
04-6-1713	04-6-1723	04-6-1733	04-6-1743	04-6-1753	
04-6-1714	04-6-1724	04-6-1734	04-6-1744	04-6-1754	
04-6-1715	04-6-1725	04-6-1735	04-6-1745	04-6-1755	
04-6-1716	04-6-1726	04-6-1736	04-6-1746	04-6-1756	

PSC ACTION: Approved

7. The Educator Ethics Review Committee recommended approval of the *Extensions to Investigations Report* consisting of 21 cases.

Case Number	Case Number	Case Number
04-02-1185	04-04-1469	04-04-1499
04-03-1375	04-03-1358	04-04-1486
04-04-1471	04-04-1454	04-04-1487
04-05-1571	04-04-1521	04-04-1530
04-04-1536	04-04-1450	04-03-1260
04-03-1271	04-04-1464	04-05-1617
04-03-1305	04-04-1520	04-05-1624

PSC ACTION: Approved

8. APPLICATIONS FOR CERTIFICATION REPORT

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 29 cases reflected on the *Applications for Certification Report*.

PSC ACTION: Approved

9. STUDENT LOAN SUSPENSION / REINSTATEMENTS

The Commission reviewed the report, which advised of 8 *Student Loan Reinstatements* and 14 *Student Loan Suspensions*.

10. FINAL DECISIONS BY OPERATION OF LAW

The Commission reviewed the report, which advised of 11 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.

11. REVIEW HEARING EXTENSIONS

The Commission reviewed the *Review Hearing Extensions Report* concerning 6 hearing cases. An Administrative Law Judge has rendered Initial Decisions on each case referenced in the report. The report indicates Orders that have been issued by the Commission to extend time by 30 additional days to preserve the Commission's time to

conduct review hearings.

VII. EXECUTIVE SECRETARY REPORT

The Executive Secretary presented the following:

A. Initiation of Rules – Initiation of rulemaking to rescind/amend/adopt Professional Standards Commission rules.

Chapter 505-2 Certification

Rick Eiserman introduced the Certification rules.

MOTION: (Miller / Ebron) To accept amending the Certification Rules in Chapter 505-2 effective September 15, 2004, as follows: 505-2-.10, 505-2-.12, 505-2-.21, 505-2-.24, 505-2-.26, 505-2-.39, 505-2-.84, 505-2-.96, 505-2-.115, 505-2-.116, 505-2-.117, 505-2-.118, 505-2-.119, 505-2-.120, and 505-2-.121.

PSC ACTION: Approved

Chapter 505-3 Educator Preparation

Dr. Fran Watkins introduced the Educator Preparation rules.

MOTION: (Gomez / Ebron) To accept rescinding the Rules in Chapter 505-3, effective September 15, 2004, as follows: 505-3-.31, 505-3-.37, 505-3-.58, 505-3-.66, 505-3-.40, and 505-3-.32; amending Rules in Chapter 505-3, effective September 15, 2004, as follows: 505-3-.01, 505-3-.05, 505-3-.08, 505-3-.09, 505-3-.10, 505-3-.11, 505-3-.12, 505-3-.13, 505-3-.14, 505-3-.15, 505-3-.16, 505-3-.17, 505-3-.18, 505-3-.19, 505-3-.20, 505-3-.21, 505-3-.22, 505-3-.23, 505-3-.24, 505-3-.26, 505-3-.27, 505-3-.28, 505-3-.29, 505-3-.30, 505-3-.33, 505-3-.34, 505-3-.35, 505-3-.36, 505-3-.38, 505-3-.39, 505-3-.41, 505-3-.42, 505-3-.43, 505-3-.45, 505-3-.46, 505-3-.47, 505-3-.48, 505-3-.49, 505-3-.50, 505-3-.51, 505-3-.53, 505-3-.54, 505-3-.56, 505-3-.57, and 505-3-.59; and adopting new Rules in Chapter 505-3, effective September 15, 2004, as follows: 505-3-.52, 505-3-.61, 505-3-.62, 505-3-.63, 505-3-.64, 505-3-.65, 505-3-.66, 505-3-.67, 505-3-.68, 505-3-.69, 505-3-.70, 505-3-.71, 505-3-.72, 505-3-.73, 505-3-.74, and 505-3-.75

PSC ACTION: Approved

Chapter 505-6 Educator Ethics

Dr. Gary Walker introduced the Educator Ethics rules.

MOTION: (Scott / Denty). To accept amending the Educator Ethics Rule 505-6-.01 as further amended by the commission effective September 15, 2004.

PSC ACTION: Approved

MOTION: (Ebron / McClain) To accept amending the Educator Ethics Rule 505-6-.05 as presented effective September 15, 2004,.

PSC ACTION: Approved

B. Dr. Toth announced that Georgia Association of Educator Leaders (GAEL) will hold their 30th Annual Summer Conference in Jekyll Island. Dr. Toth will speak at the general session and the PSC will also hold four concurrent sessions on a) Certification, b) Educator Ethics, c) Special Education, and d) Title IIA Teacher Quality.

9/14/2004

Page 11

C. Dr. Toth spoke about the Pay for Performance that the Denver School Board recently approved.

D. Dr. Toth announced that the PSC is negotiating with Georgia Public Broadcasting to update the video on Educator Ethics as well as other possible contracts with them.

VIII. ADJOURNMENT

MOTION: (Gomez / McClain) To adjourn the meeting.

PSC ACTION: The meeting adjourned at 11:35 pm.