

# MINUTES

## PROFESSIONAL STANDARDS COMMISSION MEETING

SOUTHERN CENTER FOR INTERNATIONAL STUDIES  
Atlanta, Georgia

June 7, 2001

The Georgia Professional Standards Commission (PSC) met on Thursday, June 7, 2001, at 9 a.m. at the Southern Center for International Studies, Atlanta, Georgia.

### **Members Present**

Phoebe Bailey  
Kay Cribbs  
John Culbreath  
Amy Denty

Angela Finn  
Thomas Harrison  
Leon Hurley  
Willda Melton

Janet Scott  
Sue Sehgal  
David Wallace

### **Members Absent**

Anne Adams  
Vicky Cody  
Terri DeLoach  
Debbie Lane  
Vernon Payne  
Beth Steele  
Pam Thomas

### **Visitors**

- Gail Wooten, Professional Association of Georgia Educators
- Mike McGonigle, Georgia Association of Educators
- Joyce Arp, Georgia Association of Educators
- Robert Maxson, Georgia Department of Education
- Robin Frazier Clark, Hearing Officer
- Joe F. Moore, Educator
- Deborah Moore
- Michael Kramer, Georgia Association of Educators
- Joyce , Attorney
- Rebecca Mick, Attorney General's Office
- Rolf Jones, Attorney
- Sonja Floyd, Educator

## **Visitors (Continued)**

- Pat Nobbie, Governor's Council on Developmental Disabilities
- Phil Gunter, Valdosta State University
- Bobbi Sterin
- Phyllis Levert, Cobb County Schools
- Candi Norton, Forsyth County Schools
- Mary Jesse, GASPA and VIF

### **I. CALL TO ORDER**

Chairman Culbreath called the meeting to order at 9:10 a.m. and led the assemblage in the Pledge of Allegiance to the U.S. flag and a moment of silence.

At this time, Dr. Sue Sehgal introduced our host, Mr. Peter White of the Southern Center for International Studies, to the Commission. Mr. White gave a short summary of the history and mission of the SCIS and welcomed all those in attendance.

### **II. RECOGNITION OF VISITORS**

Chairman Culbreath recognized the visitors.

### **III. ADOPTION OF AGENDA**

Chairman Culbreath called for approval of the agenda with three changes. The hearing for Mr. Joe Moore will be held at 9:30 a.m., the hearing for Ms. Sonja Floyd will be at 1:00 p.m., and the Executive Secretary's report will be done in segments during the day, as time allows.

**MOTION:** (Wallace/Sehgal) To adopt the agenda as amended.

**ACTION:** Approved.

### **IV. APPROVAL OF MINUTES**

Chairman Culbreath called for approval of the minutes from the May 3, 2001, Commission meeting.

**MOTION:** (Cribbs/Finn) To approve the minutes as written.

**ACTION:** Approved.

## V. EXECUTIVE SECRETARY'S REPORT

A. Dr. Toth asked Dr. Fran Watkins, Director of Educator Preparation, to talk to the Commission about the reasons for recommending the acceptance of a composite score for Praxis I. After considering the proposal, the following motion was made.

**MOTION:** (Wallace/Cribbs) To approve the recommendation to accept the total current minimum as a composite score for anyone taking the Praxis I on or after March 1, 1999. (PPST - 526; CBT - 964)

**ACTION:** Approved.

Opposed: Sehgal  
Abstentions: None

## VI. HEARINGS

A. **Joe Moore - Case No. 99-12-772 (9:30 a.m.).**

Robin Frazier Clark, PSC Hearing Officer, gave Mr. Moore's attorney, Ms. Joyce Griggs, and PSC's attorney, Rebecca Mick, each 20 minutes to present oral arguments.

### EXECUTIVE SESSION

**MOTION:** (Sehgal/Cribbs) To go into executive session to make a decision in this case, and to allow the PSC attorney, Kendall Kerew, the Director of Professional Practices, and the commission's two legal secretaries to remain with the commission during its deliberation.

**ACTION:** Approved.

Return to open session.

**MOTION:** (Sehgal/Hurley) To uphold the decision of the Administrative Law Judge (*Reprimand and Monitoring for Eighteen Months*).

**ACTION:** Approved

Opposed: Scott; Harrison  
Abstentions: None

B. **Richard Eason - Case No. 99-10-510 (10:15 a.m.).**

Robin Frazier Clark, PSC Hearing Officer, gave Mr. Eason's attorney, Mr. Jerry Thomas, opportunity to speak to the Commission, at which time Mr. Eason's application for a review was withdrawn. The initial decision of *Revocation* now becomes the final decision by operation of law.

## **VII. COMMITTEE REPORT**

### **A. Professional Practices Review Committee**

After a preliminary review of the Professional Practices Review cases, the Commission decided to go ahead with the remainder of the Executive Secretary's Report.

## **V. EXECUTIVE DIRECTOR'S REPORT (continued)**

**B.** Rick Eiserman, Director of Certification, was asked by Dr. Toth to review the eligibility requirements for the intern certificate (teaching fields only) that will be used in the Teach for Georgia program. The Intern Certificate holder will be paid at the provisional certificate level and the certificate will be transferable from one system to another. After discussing the recommendations for initial certification and requirements to be met during the Teach for Georgia Program, the following motion was made.

**MOTION:** (Wallace/Cribbs) To adopt the written recommendations regarding the certification process of the Teach for Georgia Alternative Preparation Program.

**ACTION:** Approved

Abstentions: None

**C.** Dr. Toth recommended that the Commission add Praxis I as a requirement for Provisional certification. This would not take the place of the Praxis II, but would be an added requirement.

**MOTION:** (Bailey/Melton) To adopt the recommendation to add Praxis I to the already established requirements for provisional certification. Praxis II remains a requirement.

**ACTION:** Approved.

Abstentions: None

**D.** Executive Secretary Toth also recommended that the Commission allow applicants who have gone through an approved Georgia Educator Preparation Program to be recommended by their college when they have completed all certification requirements except passing the Praxis II examination. These students would be eligible for a one-year conditional certificate, during which time they must pass Praxis II. This would give Georgia students the same length of time to pass their test as we already give out-of-state graduates. This would apply to applicants in all Georgia education programs. (Leadership, Service, or Teaching).

**MOTION:** (Bailey/Melton) To adopt the recommendation with stipulations as noted.

**ACTION:** Approved.

Abstentions: None

**E.** Dr. Toth reported that for many years it has been Georgia's practice to issue a P-8 certificate in Elementary Grades, if a teacher came to Georgia with an Elementary Grades Certificate from another state. It is his recommendation that the Commission rescind Certification Rule 505-2-.62, to eliminate

the Elementary Grades certificate entirely by March 1, 2002. Georgia would continue to honor all existing certificates in Elementary Grades until each individual's next renewal date. At that time, all persons (whether coming from outside Georgia or already certified in Georgia) with an Elementary Education certificate would be required to choose between Early Childhood and Middle Grades, but would be allowed to request an evaluation in the second field. If their choice is Middle Grades Education, they would also need to show evidence of at least two concentrations.

**MOTION:** (Hurley/Cribbs) To initiate rule-making to rescind Professional Standards Commission Rule 505-2-.62 , and to begin the process of having existing Georgia Elementary Grades teachers choose at their next renewal date whether they wish to be certified in Early Childhood Education or Middle Grades Education, but allowing them the opportunity to request an evaluation in the second field.

**ACTION:** Approved.

Abstentions: None

## **VI. HEARINGS (Continued)**

### **C. Sonja Floyd - Case No. 99-12-772 (1:00 p.m.).**

Robin Frazier Clark, PSC Hearing Officer, gave Ms. Floyd's attorney, Mr. Rolf Jones, and PSC's attorney, Ms. Kendall Kerew, each 20 minutes to present oral arguments.

### **EXECUTIVE SESSION**

**MOTION:** (Wallace/Cribbs) To go into executive session to make a decision in this case, and to allow the Director of Professional Practices, and the commission's two legal secretaries to remain with the commission during its deliberation.

**ACTION:** Approved.

Return to open session.

**MOTION:** (Harrison/Bailey) To support the decision of the Administrative Law Judge (*Reprimand with Monitoring for Two Years*).

**ACTION:** Approved

Abstentions: None

### **A. Professional Practices Review Committee (Continued)**

1. The Professional Practices Review Committee reviewed thirty-nine (57) *Probable Cause* cases during its June 6, 2001, meeting and brought recommendations to the Commission as follows:

<u>Case Number</u>	<u>Committee Recommendation</u>
00-11-737	Revocation
01-02-1174	Revocation
01-04-1375	Suspension for One Year
01-04-1385	No Probable Cause
01-03-1254	Reprimand
01-03-1260	Probable Cause to Deny

<u>Case Number</u>	<u>Committee Recommendation</u>
01-03-1262	Suspension for Three Months
01-03-1289	No Probable Cause
01-03-1290	Suspension for Six Months
01-03-1363	No Probable Cause
01-01-952	Probable Cause to Deny
01-03-1256	No Probable Cause
01-04-1376	No Probable Cause
01-03-1306	Revocation
01-03-1250	Reprimand
01-03-1263	No Probable Cause
01-03-1253	Suspension for Two Years
01-03-1288	No Probable Cause
01-03-1307	Reprimand
01-03-1309	Warning
01-03-1343	Warning
01-03-1344	No Probable Cause
01-03-1355	No Probable Cause
01-03-1370	No Probable Cause
01-01-986	Revocation
01-01-993	Revocation
01-01-1037	Revocation
01-03-1287	Revocation
01-03-1354	Revocation
01-01-990	Revocation
01-03-1324	Monitoring for One Year
01-02-1137	Extend Probable Cause Determination for Initial Sixty Days
01-04-1379	No Probable Cause
01-04-1410	No Probable Cause
01-04-1519	No Probable Cause
01-03-1264	Revocation
01-03-1339	Revocation
01-03-1285	Reprimand
01-01-988	Revocation
01-03-1336	No Probable Cause
01-03-1341	No Probable Cause
01-03-1342	No Probable Cause
01-03-1351	No Probable Cause
01-03-1357	No Probable Cause
01-03-1365	No Probable Cause
01-03-1251	Warning
01-03-1281	No Probable Cause
01-03-1282	No Probable Cause
01-02-1184	Extend Probable Cause Determination for Initial Sixty Days
01-02-1218	Suspension for Two Years
01-03-1235	No Probable Cause
01-03-1278	No Probable Cause
01-03-1331	No Probable Cause
01-03-1374	No Probable Cause
01-04-1417	No Probable Cause
01-04-1429	No Probable Cause
01-03-1329	Revocation

**MOTION:** (Harrison/Scott) To accept the recommendations of the Professional Practices Review Committee in all *Fifty-Seven (57)* probable cause cases.

**ACTION:** Approved.

Abstentions: None

2. The Professional Practices Review Committee reviewed 2 *Initial Decisions* during its June 6, 2001, meeting and brought recommendations to the Commission as follows:

<u>Case Number</u>	<u>ALJ's Decision</u>	<u>PPRC's Recommendation</u>
99-9-463	Revocation	Accept
00-8-234	Suspension for One Year	Accept

**MOTION:** (Wallace/Cribbs) To accept the recommendations of the Professional Practices Review Committee for both *Initial Decision Cases*.

**ACTION:** Unanimously approved.

3. The Professional Practices Review Committee reviewed 1 *Petition to Waive the Last Quarter of Monitoring* during its June 6, 2001, meeting and brought a **recommendation to accept**. (Case No. 97/98-788)

**MOTION:** (Wallace/Melton) To accept the recommendation of the Professional Practices Review Committee for acceptance of this petition.

**ACTION:** Unanimously approved.

4. The Professional Practices Review Committee reviewed 14 *Settlement Agreement* cases during its June 6, 2001, meeting and brought a recommendation to accept the settlements agreed to:

<u>Case Number</u>	<u>Settlement Agreement</u>
00-12-838	Monitoring for One Year (Four Quarters)
01-01-987	Warning
01-01-992	Suspension for Six Months
01-01-1026	Monitoring for One Year (Four Quarters)
01-01-1032	Monitoring for One Year (Four Quarters)
01-01-1040	Monitoring for One Year (Four Quarters)
01-02-1104	Suspension for Six Months
01-02-1116	Reprimand
01-02-1151	Reprimand
01-02-1172	Suspension for Three Months
01-02-1173	Suspension for Six Months
01-03-1255	Revocation
01-03-1284	Revocation
01-04-1474	Revocation

**MOTION:** (Bailey/Melton) To accept the recommendations of the Professional Practices Review Committee for all 14 *Settlement Agreement* cases

**ACTION:** Approved.

Abstentions: None

5. The Commission heard 12 negotiated *Settlement Agreement* cases during its June 6, 2001, meeting and brought a recommendation to accept the settlements agreed to in all cases except 01-02-1171.

<u>Case Number</u>	<u>Settlement Agreement</u>
99-02-163	Warning
00-02-1041	Revocation
00-02-1034	Suspension for One Year
00-03-1144	Finding of Fact Amendments – Suspension for One Year
00-08-239	Revocation
00-09-388	Revocation
00-10-524	Suspension for Eighteen Months
00-10-600	Suspension for Three Years
00-11-716	Reprimand and Monitoring for Two Years
00-12-879	Warning
00-02-1171	*Suspension for Two Weeks
00-03-1158	Suspension for One Month

\*Settlement Proposal Rejected

**MOTION:** (Harrison/Bailey) To accept the recommendations of the Professional Practices Review Committee to accept all cases except 00-02-1171.

**ACTION:** Approved.

Abstentions: None

6. May 2001 Preliminary Investigation Determination Report was distributed listing the 92 cases that the Cognizant members reviewed.

**MOTION:** (Wallace/Hurley) To accept the determination of the cognizant members for all 92 complaints included in the preliminary investigation determination report.

**ACTION:** Approved.

7. The Professional Practices Review Committee recommended 45 *Extensions* in order to complete investigations. These cases are:

<u>Case Number</u>	<u>Case Number</u>	<u>Case Number</u>	<u>Case Number</u>	<u>Case Number</u>
01-03-1364	01-05-1540	01-04-1504	01-04-1413	01-04-1386
01-03-1283	01-05-1564	01-04-1513	01-04-1439	01-04-1404
01-03-1373	01-05-1580	01-05-1527	01-04-1507	01-04-1430
01-04-1395	01-03-1257	01-05-1546	01-04-1515	01-04-1441
01-04-1406	01-03-1227	01-05-1565	01-05-1533	01-04-1510
01-04-1433	01-04-1380	01-03-1372	01-05-1558	01-04-1516
01-04-1446	01-04-1397	01-03-1300	01-05-1575	01-05-1535
01-04-1512	01-04-1409	01-04-1383	01-03-1308	01-05-1561
01-04-1525	01-04-1437	01-04-1399	01-03-1321	01-05-1576

**ACTION:** Approved.

8. During the month of May, the Student Finance Commission forwarded notifications to the Professional Standards Commission requesting the suspension of Ten (10) educator certificates for default in the repayment of *Student Loans*. These were as follows:

<u>Case Nos.</u>	<u>Case Nos.</u>
01-05-1661	01-05-1667
01-05-1662	01-05-1668
01-05-1663	01-05-1669
01-05-1664	01-05-1670
01-05-1665	01-05-1671

**MOTION:** (Bailey/Thomas) To accept the recommendation of the Professional Practices Review Committee to suspend the eight (10) certificates as requested.

**ACTION:** Approved.

Abstentions: None

**MOTION:** (Thomas/Melton) To take no action at this time against the Four (4) educators listed as *Student Loan-Early Release* cases.

**ACTION:** Approved.

Abstentions: None



9. The following educators received notification of the Professional Standards Commission's proposed disciplinary sanctions. In accordance with Rule No. 505-6-.04 (1) (c), the educator's failure to request a hearing within thirty days constitutes a waiver of their right to contest the proposed sanctions. Therefore, the sanctions have become the final decisions of the Commission.

<u>Case Number</u>	<u>Sanction</u>
00-12-880	Suspension for Six Months
01-01-989	Suspension for One Year
01-01-1053	Suspension for Six Months

10. The following cases were referred to the Office of State Administrative Hearings for adjudication of the Professional Standards Commission's (PSC) proposed disciplinary sanction. The Administrative Law Judge rendered an Initial Decision that was subsequently accepted by the PSC. The Initial Decision was served upon the educator. The educator's failure to request a review hearing within thirty days requires that the Initial Decision become the Final Decision of the Commission by operation of law.

<u>Case Number</u>	<u>Sanction</u>
00-01-849	Revocation

11. The May 2001 Probable Cause Determination for Applicants for Certification was reviewed by the Professional Practices Review Committee at their June 6, 2001, meeting. The PPRC recommends approval.

**MOTION:** (Thomas/Hurley) To approve the Professional Practices Review Committee's recommendation for all (27) *Twenty-Seven* cases listed.

**ACTION:** Unanimously approved.

## **IX. CHAIRMAN'S REPORT**

Chairman Culbreath recognized the great contributions made by all the commissioners who will be leaving the commission after this meeting, and noted that both committees are losing their chairperson. Therefore, he appointed Commissioner Kay Cribbs to chair the Educator Preparation Standing Committee, and Janet Scott to chair the Professional Practices Review Committee.

## **X. OTHER BUSINESS**

### **A. Rulemaking**

At this time Chairman Culbreath asked Vice-chairman Bailey to preside during the hearing for the Special Education rules and regulations to be considered for adoption. These rules are PSC Special Education Rules 505-2-.52; 505-2-.71; 505-2-.75; 505-2-.80; 505-2-.83; 505-2-.86; and 505-2-.97. Those opposing as well as those in agreement with the rules were given ten minutes each to express their views and concerns to the Commission.

The proposed changes were taken under advisement until the Commission's next meeting scheduled for July 12, 2001, or a possible conference call.

**XI. ADJOURNMENT**

**MOTION:** (Melton/Bailey) To adjourn the meeting.

**ACTION:** The meeting was adjourned at 3:25 p. m.