

MINUTES

PROFESSIONAL STANDARDS COMMISSION

Metro RESA

1870 Teasley Drive

Smyrna, Georgia

March 9, 2006

The Georgia Professional Standards Commission (PSC) met on Thursday, March 9, 2006, at 9 a.m.

Members Present

Sallie Bullock	Dr. Carolyn Lee Hart	Dr. Mary Outlaw
Stephen Dartt	Mary Gomez	Dr. Holly Robinson
Terri DeLoach	Pamela Greenway	Dr. Debbie Wilkes
Amy Denty	Maria Miller	
Jean Ebron	Lee Muns	

Members Absent

Gary Bechtel	Dr. Wanda West
Dr. Louisa Moffitt	

I. CALL TO ORDER

Terri DeLoach called the meeting to order at 9:00 a.m. and led the Pledge of Allegiance to the U.S. flag and a moment of silence.

II. RECOGNITION OF VISITORS

Terri DeLoach recognized the visitors.

- Margaret Elliott, Professional Association of Georgia Educators
- Scott Swantic
- Fran Swantic
- Brad Wilson
- Stephan Ritter, Attorney Generals Office
- John Hooper, Georgia School Superintendents Association
- Felicia Lee, Georgia Association of Educators (GAE)
- Brad Wilson, Attorney
- Patricia Hallen

III. ADOPTION OF AGENDA

Terri DeLoach called to amend the agenda to add Mr. Stephen Ritter from the Attorney General's Office.

MOTION: (Muns / Greenway) To approve agenda with the addition of Mr. Stephen Ritter.

PSC ACTION: Approved

IV. APPROVAL OF MINUTES

Terri DeLoach called for approval of the minutes from the February 9, 2006, Commission meeting.

PSC ACTION: Approved

V. Mr. Stephan Ritter of the Attorney General's Office gave an introduction of the Attorney General's office and their responsibilities.

VI. COMMITTEE REPORTS

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

Commissioner Maria Miller, gave a preliminary review of the Cases.

1. Ms. Miller reported that the Committee reviewed 44 *Probable Cause* cases during its March 8, 2006, meeting and brought the following recommendations on behalf of the Committee:

#	CASE NUMBER	STANDARDS VIOLATED	RECOMMENDATION
1	05-8-258	Criminal Acts Professional Conduct	Denial
2	05-11-599	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	Revocation
3	05-11-622	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct Action Taken in Another State	Denial
4	05-12-682	Criminal Acts Professional Conduct	Reprimand
5	05-12-702	Criminal Acts Professional Conduct	Reprimand
6	05-12-735	Criminal Acts Professional Conduct Action Taken in Another State	Extend Probable Cause Determination until May 11, 2006
7	05-11-588	Abuse of Students Professional Conduct	No Probable Cause
8	05-12-695	Abuse of Students Criminal Acts Failure to Make a Required Report Professional Conduct	Reprimand
9	05-12-704	Abuse of Students Professional Conduct	Suspension for One Year
10	05-12-716	Abuse of Students Professional Conduct Criminal Acts	Revocation

#	CASE NUMBER	STANDARDS VIOLATED	RECOMMENDATION
11	05-12-718	Abuse of Students Professional Conduct	Suspension for 20 Days
12	05-12-750	Abuse of Students Professional Conduct	Suspension for One Year
13	05-12-753	Abuse of Students Professional Conduct	Revocation
14	05-12-758	Abuse of Students Professional Conduct	Warning
15	05-12-706	Alcohol or Drugs Professional Conduct	Suspension for One Year
16	05-12-757	Alcohol or Drugs Professional Conduct Criminal Acts	Suspension for One Year
17	05-11-571	Misrepresentation or Falsification Professional Conduct Action Taken in Another State	Denial
18	05-11-626	Misrepresentation or Falsification Criminal Acts Failure to Make a Required Report Professional Conduct	Revocation
19	05-12-705	Misrepresentation or Falsification Professional Conduct	Suspension for 5 Days
20	05-12-720	Misrepresentation or Falsification Professional Conduct	Suspension for 10 Days
21	05-12-727	Misrepresentation or Falsification Professional Conduct	Suspension for 10 Days
22	05-12-740	Misrepresentation or Falsification Criminal Acts Failure to Make a Required Report Professional Conduct	No Probable Cause
23	05-12-744	Misrepresentation or Falsification Criminal Acts Failure to Make a Required Report Professional Conduct	Warning
24	05-12-756	Misrepresentation or Falsification Public Funds and Property Professional Conduct	Suspension for 5 Days
25	05-12-764	Misrepresentation or Falsification Professional Conduct	No Probable Cause
26	05-12-765	Misrepresentation or Falsification Professional Conduct	Reprimand
27	06-1-817	Misrepresentation or Falsification Criminal Acts Professional Conduct	Warning
28	06-1-839	Misrepresentation or Falsification Criminal Acts Failure to Make a Required Report	Reprimand

#	CASE NUMBER	STANDARDS VIOLATED	RECOMMENDATION
		Professional Conduct	
29	05-12-717	Public Funds and Property Professional Conduct	Suspension for 10 Days
30	05-12-728	Public Funds and Property Professional Conduct	Suspension for 20 Days
31	05-12-746	Abandonment of Contract Professional Conduct	Extend Probable Cause Determination until May 11, 2006
32	05-12-754	Abandonment of Contract Professional Conduct	Suspension for 90 Days
33	05-12-714	Failure to Make a Required Report Criminal Acts Professional Conduct	No Probable Cause
34	05-11-562	Professional Conduct Abuse of Students Public Funds and Property	Suspension for 90 Days
35	05-11-583	Professional Conduct Abuse of Students Misrepresentation or Falsification	Administrative Dismissal Revoked - 2/16/2006
36	05-11-590	Professional Conduct	No Probable Cause
37	05-11-591	Professional Conduct	Reprimand
38	05-11-602	Professional Conduct Misrepresentation or Falsification	Revocation
39	05-11-628	Professional Conduct Alcohol or Drugs	Suspension for 90 Days
40	05-12-723	Professional Conduct	Reprimand
41	05-12-729	Professional Conduct	Reprimand
42	05-12-731	Professional Conduct Abuse of Students Alcohol or Drugs	Suspension for 2 Years
43	05-12-759	Professional Conduct	Reprimand
44	06-01-770	Professional Conduct Criminal Acts	Suspension for 20 Days

PSC ACTION: Approved

2. Ms. Miller reported that the Educator Ethics Review Committee reviewed 6 *Initial Decisions* and brought the following recommendations on behalf of the Committee:

#	CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	ADMINISTRATIVE LAW JUDGE SANCTION
1	04-7-90	Misrepresentation or Falsification Professional Conduct	Suspension for One Year	Suspension for One Year
2	04-7-89	Misrepresentation or Falsification Professional Conduct	Suspension for One Year	Suspension for One Year
3	04-11-683	Professional Conduct	Suspension for One Week	Suspension for One Week

#	CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	ADMINISTRATIVE LAW JUDGE SANCTION
4	03-5-2137	Professional Conduct Criminal Acts	Revocation	No Probable Cause
5	04-5-1633	Misrepresentation or Falsification Professional Conduct	Suspension for Six Months	No Probable Cause
6	04-9-306	Misrepresentation or Falsification Professional Conduct	Warning	Warning

PSC ACTION: Approved

Abstention: Mary Outlaw, case # 04-11-683

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

#	CASE NUMBER	REQUEST	PREVIOUS SANCTION	PREVIOUS VIOLATION
1	06-1-768	Right to Reapply	Revocation – 12/18/2000 Denied Right to Reapply – 7/12/05 Granted Right to Petition Early – 9/8/05	Criminal Acts
2	04-6-1765	Early Reinstatement	Currently Suspended: Oct. 29, 2004 – Oct. 29, 2005	Misrepresentation/ Falsification Professional Conduct

PSC ACTION: Approved

5. Ms. Miller reported that the Educator Ethics Review Committee reviewed 11 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee excluding cases 04-6-1697, 02-8-588 and 04-2-1155:

#	CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION
1	04-1-1059	Professional Conduct	Reprimand	No Probable Cause
2	05-1-928	Failure to Make a Required Report Professional Conduct	Suspension for One Year	Suspension for Six Months
3	05-1-919	Criminal Acts Abuse of Students Failure to Make a Required Report Professional Conduct	Revocation	No Probable Cause
4	04-6-1697	Misrepresentation or Falsification Failure to Make a Required Report	Reprimand	No Probable Cause
5	02-8-588	Criminal Acts Abuse of Students Professional Conduct	Revocation	No Probable Cause
6	04-2-1155	Criminal Acts Professional Conduct	Revocation	No Probable Cause

#	CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION
7	04-9-364	Criminal Acts Abuse of Students Professional Conduct	Revocation	No Probable Cause
8	05-5-1699	Professional Conduct	Reprimand	Reprimand – Language Changes
9	05-3-1373	Professional Conduct	Suspension for One Month	Suspension for Two Weeks
10	05-3-1372	Professional Conduct Abuse of Students Misrepresentation or Falsification Alcohol or Drugs	Suspension for Two Years	Suspension for Two Years
11	04-10-569	Abuse of Students Professional Conduct	Suspension for One Month	Suspension for One Month

PSC ACTION: Approved

Debbie Wilkes requested that we pull cases 04-6-1697, 02-8-588 and 04-2-1155 for discussion.

Case # 04-6-1697

MOTION: (Miller / Denty) To accept case # 04-6-1697 for a No Probable Cause Finding.

ACTION: Approved

Case # 02-8-588 and 04-2-1155:

Following discussion the full commission agreed to accept the EERC's recommendation to reject case # 02-8-588 and case # 04-2-1155

ACTION: Approved

4. Ms. Miller reported that the Educator Ethics Review Committee reviewed 16 *Settlement Agreements* and brought the following recommendations on behalf of the Committee:

#	CASE NUMBER	SANCTION	RECOMMENDATION
1	05-8-181	Reprimand	Accept
2	05-9-355	Suspension for 5 Days	Accept
3	05-10-437	Reprimand	Accept
4	05-10-439	Suspension for 90 Days	Accept
5	05-10-456	Reprimand	Accept
6	05-10-462	Reprimand	Accept
7	05-10-520	Reprimand	Accept
8	05-10-524	Suspension for 2 Years	Accept

#	CASE NUMBER	SANCTION	RECOMMENDATION
9	05-11-536	Suspension for 10 Days	Accept
10	05-11-566	Reprimand	Accept
11	05-11-585	Reprimand	Accept
12	05-11-605	Reprimand	Accept
13	05-11-617	Reprimand	Accept
14	05-11-623	Reprimand	Accept
15	05-11-635	Suspension for 1 Year	Accept
16	05-11-646	Reprimand	Accept

PSC ACTION: Accept

6. 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 NUMBER	SANCTION	STANDARDS VIOLATED	RECOMMENDATION
1	06-1-799	Revocation	Abuse of Students Professional Conduct	Accept

PSC ACTION: Approver

7. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 75 new complaints received during the months of February and March 2006:

PSC ACTION: Approved

8. **EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS**

The Educator Ethics Review Committee recommended approval of the 16 Extensions - Preliminary Investigative Determinations consisting of the following:

CASE #	CASE #
06-2-877	06-2-885
06-2-878	06-2-886
06-2-879	06-2-887
06-2-880	06-2-888
06-2-881	06-2-889
06-2-882	06-2-890
06-2-883	06-2-891
06-2-884	06-2-892

PSC ACTION: Approved

9. EXTENSIONS - INVESTIGATIONS

The Educator Ethics Review Committee recommended granting and *Investigative Extension* to the following 57 cases:

WRITTEN COMPLAINTS

CASE #	CASE #	CASE #	CASE #
05-6-1887	05-11-636	06-1-767	05-12-722
05-7-97	05-11-645	06-1-780	05-12-724
05-8-202	05-11-648	05-8-270	05-12-745
05-8-299	05-11-650	05-11-643	05-12-763
05-9-395	05-11-652	05-12-752	06-1-772
05-10-449	05-12-713	06-1-769	05-12-762
05-10-492	05-12-715	05-9-335	
05-10-494	05-12-721	05-9-338	
05-10-513	05-12-741	05-10-436	
05-11-578	05-12-747	05-10-515	
05-11-593	05-12-751	05-11-541	
05-11-634	05-12-755	05-11-587	

APPLICATION CASES

CASE #	CASE #	CASE #
05-9-353	05-12-737	06-1-818
05-12-683	06-1-773	06-1-823
05-12-684	06-1-776	06-1-846
05-12-686	06-1-778	06-1-850
05-12-692	06-1-814	06-1-851

PSC ACTION: Approved

10. 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

11. REVIEW HEARING EXTENSIONS

The Commission reviewed the *Review Hearing Extensions Report* concerning 6 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 9 certificates suspended from February 9, 2006 until March 9, 2006. There were 5 certificates that had been reinstated because restitution is now being made

on those student loans. There were 10 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 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.

VII. REVIEW HEARINGS

- | | |
|--------------------|------------------------------|
| 1. Cathy Coody | - Educator (Case # 04-9-264) |
| Wayne Magnum | - Hearing Officer |
| Rebecca Mick | - PSC Attorney |
| F. Bradford Wilson | - Attorney |

MOTION: (Muns / Miller) To go into Executive Session and allow PSC staff and attorney (Gary Walker, Lisa Hartzler and Penny Hannah) to remain.

ACTION: Approved

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

ACTION: Approved

MOTION: (Bullock / Greenway) 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 is hereby adopted and incorporated by reference herein and made the Final Decision of the Commission with the following specification. The Commission hereby ORDERS that the Georgia educator certificate held by Cathy Coody be Suspended for a period of one year to become effective March 24, 2006 and shall conclude on March 24, 2007.

PSC ACTION: Approved

- | | |
|--------------------|-------------------------------|
| 2. Patricia Hallen | - Educator (Case # 04-4-1545) |
| Wayne Magnum | - Hearing Officer |
| Penny Hannah | - PSC Attorney |
| David Dunham | - Attorney |

MOTION: (Miller / Denty) To go into Executive Session and allow PSC staff and attorney (Gary Walker, Lisa Hartzler and Rebecca Mick) to remain.

ACTION: Approved

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

ACTION: Approved

MOTION: (Hart / Denty) 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 is hereby adopted

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and incorporated by reference herein and made the Final Decision of the Commission with the following specification. The Commission hereby ORDERS that the Georgia educator certificate held by Patricia A. Hallen be Suspended for a period of six months to become effective March 24, 2006 and shall conclude on September 24, 2006.

PSC ACTION: Approved

Abstention : Jean Ebron

VIII. EXECUTIVE SECRETARY REPORT

- A. Dr. Toth thanked Terri Deloach, Louisa Moffitt, Amy Denty, Maria Miller, Lee Muns, Debbie Wilkes and Holly Robinson for attending the Governor's Legislative Update and Reception that was held on March 7th.
- B. Dr. Toth passed out a list of committee members for the Joint Education Board Liaison Committee, Educator Preparation Committee, Educator Ethics Recommendation Committee, Executive Committee
- C. Dr. Toth passed out a list of Leadership Program Redesign Committee members. This committee will have their first meeting on Friday, March 17, 2006 at the Evergreen Center, Stone Mountain Park.
- D. We have received several requests for a Computer Science endorsement. Penney McRoy will chair a task force charged with developing standards for Computer Science programs.
- E. Dr. Craig Smith visited Roehampton University London from February 18th to the 25th to present a series of lectures to their education students on special education and teacher training in the United States. Of particular interest was our alternative certification training programs and how the PSC address issues involving the Code of Ethics. The PSC video was shown and discussed with favorable results.
- F. Dr. Cyndy Stephens gave a presentation on The 2005 Georgia Educator Workforce Report.

IX. CHAIR REPORT

Chair Deloach announced that our April 13th, 2006, commission meeting will held in Jekyll Island at the Holiday Inn.

X. ADJOURNMENT

Terri Deloach called for the meeting to be adjourned at 12:10 p.m.

PSC ACTION: Approved