

MINUTES

PROFESSIONAL STANDARDS COMMISSION

2 Peachtree Street
5th Floor, PSC Boardroom
Atlanta, Georgia
March 8, 2007

The Georgia Professional Standards Commission (PSC) met on Thursday, March 8, 2007, at 9 a.m.

Members Present

Maria Bradley	Maria Miller	Dr. Holly Robinson
Sallie Bullock	Dr. Louisa Moffitt	Dr. Craig Smith
Stephen Dartt	Lee Muns	Hester Vasconcelos
Jean Ebron	Dr. Mary Outlaw	Dr. Wanda West
Mary Gomez	Rose Powell	Dr. Debbie Wilkes

Members Absent

Gary Bechtel	Pamela Greenway
Jeannie Tucker	

I. CALL TO ORDER

Chair Wilkes 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

Chair Wilkes recognized the visitors.

- Margaret Elliott, Professional Association of Georgia Educators
- Peggy Quarles, Lincoln Memorial University
- Fran Swantic, Lincoln Memorial University
- John Hooper, Georgia School Superintendents Association
- Nicole Knighten, Office of Planning and Budget

III. SERVICE AWARDS

Eddie Nix, investigator in the Educator Ethics Division was presented with a 10 Year Service Award. William Kirkland, Troops to Teachers Program Manager, was presented with a 5 Year Service Award.

IV. ADOPTION OF AGENDA

Chair Wilkes called for approval of the agenda.

MOTION: (Muns / Miller) To approve agenda.

PSC ACTION: Approved

V. APPROVAL OF MINUTES

Dr. Toth told the commission that during our February 8, 2007 commission meeting there was a motion made “to accept the Georgia Assessment for the Certification of Educators preliminary pass rate of minus one Standard Error of Measurement on the Selected Response and minus one Constructed Response Section point and to review the test criteria after two years”. The motion did not mention if the commission wanted to revisit

the test criteria.

MOTION: (Muns / Robinson) To approve the February 8, 2007, minutes as presented with the following change to the motion regarding the Georgia Assessments for the Certification of Educators Preliminary Pass Rate Analysis “to accept the Georgia Assessment for the Certification of Educators preliminary pass rate of minus one Standard Error of Measurement on the Selected Response and minus one Constructed Response Section point and to review the test criteria after two years”.

PSC ACTION: Approved

VI. COMMITTEE REPORTS

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

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

- Ms. Miller reported that the Committee reviewed 52 *Probable Cause* cases during its March 7, 2007, meeting and brought the following recommendations on behalf of the Committee excluding case #06-6-1497 and case #06-11-438:

#	CASE NUMBER	STANDARDS VIOLATED	RECOMMENDATION
1	06-9-216	Misrepresentation or Falsification Criminal Acts Failure to Make a Required Report Professional Conduct	Reprimand
2	06-9-220	Criminal Acts	Revocation
3	06-9-240	Misrepresentation or Falsification Criminal Acts Professional Conduct	Reprimand
4	06-11-492	Criminal Acts Professional Conduct	No Probable Cause
5	06-11-554	Criminal Acts Professional Conduct Action Taken In Another State	Denial
6	06-11-556	Criminal Acts Professional Conduct	Reprimand
7	06-11-562	Professional Conduct Criminal Acts	Extend Probable Cause Determination Pending Outcome of Criminal Case
8	06-11-564	Misrepresentation or Falsification Criminal Acts Failure to Make a Required Report Professional Conduct	Reprimand
9	06-12-668	Action Taken in Another State Abuse of Students Misrepresentation or Falsification Professional Conduct	Denial

#	CASE NUMBER	STANDARDS VIOLATED	RECOMMENDATION
10	06-12-670	Misrepresentation or Falsification Criminal Acts Failure to Make a Required Report Professional Conduct	Reprimand
11	06-12-672	Criminal Acts Professional Conduct	No Probable Cause
12	07-1-685	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	Revocation
13	06-6-1497	Criminal Acts Professional Conduct	No Probable Cause
14	06-5-1296	Abuse of Students Professional Conduct	Suspension - 10 Contract Days
15	06-5-1331	Abuse of Students Professional Conduct	Suspension - 90 Contract Days
16	06-6-1485	Abuse of Students Professional Conduct	Reprimand
17	07-1-708	Abuse of Students Professional Conduct	Suspension - 5 Contract Days
18	06-11-541	Alcohol or Drugs Professional Conduct	Suspension - 20 Contract Days
19	06-12-648	Alcohol or Drugs Professional Conduct	Suspension - 20 Contract Days
20	06-8-201	Misrepresentation or Falsification Professional Conduct Confidential Information	Suspension - 20 Contract Days
21	06-10-337	Misrepresentation or Falsification Professional Conduct	Suspension - 20 Contract Days
22	06-9-389	Misrepresentation or Falsification Professional Conduct	Suspension - 20 Contract Days
23	06-11-538	Misrepresentation or Falsification Professional Conduct	Reprimand
24	07-1-682	Misrepresentation or Falsification Professional Conduct	Suspension - 20 Contract Days
25	07-1-707	Misrepresentation or Falsification Professional Conduct	Suspension - 20 Contract Days
26	07-1-839	Misrepresentation or Falsification Professional Conduct	Suspension - 90 Contract Days
27	06-10-403	Public Funds and Property	No Probable Cause
28	06-11-516	Public Funds and Property Professional Conduct	No Probable Cause
29	06-12-626	Confidential Information Professional Conduct	Suspension - 90 Contract Days
30	06-11-438	Abandonment of Contract Professional Conduct	Suspension - 90 Contract Days

#	CASE NUMBER	STANDARDS VIOLATED	RECOMMENDATION
31	07-01-680	Abandonment of Contract Professional Conduct	Suspension - 90 Contract Days
32	07-01-681	Abandonment of Contract Professional Conduct	Suspension - 90 Contract Days
33	07-01-751	Abandonment of Contract Professional Conduct	Suspension - 90 Contract Days
34	07-1-869	Abandonment of Contract Professional Conduct	Suspension - 90 Contract Days
35	07-1-870 <i>Addendum</i>	Abandonment of Contract Professional Conduct	No Probable Cause
36	06-5-1229	Professional Conduct	Suspension - 5 Contract Days
37	06-5-1261	Professional Conduct	Suspension - 20 Contract Days
38	06-6-1343	Criminal Acts Professional Conduct	Revocation
39	06-9-314	Professional Conduct Failure to Make a Required Report Misrepresentation or Falsification	No Probable Cause
40	06-9-315	Professional Conduct Failure to Make a Required Report Misrepresentation or Falsification	No Probable Cause
41	06-10-321	Professional Conduct	Reprimand
42	06-10-331	Professional Conduct	Revocation
43	06-10-355	Professional Conduct	Reprimand
44	06-10-376	Professional Conduct	Suspension - 90 Contract Days
45	06-10-414	Professional Conduct	No Probable Cause
46	06-10-417	Professional Conduct Abuse of Students	Suspension - 20 Contract Days
47	06-11-499	Professional Conduct Abuse of Students	Suspension - 20 Contract Days
48	06-12-635	Professional Conduct Abandonment of Contract	Suspension - 90 Contract Days
49	06-12-646	Professional Conduct	Suspension - 20 Contract Days
50	06-12-649	Professional Conduct	Reprimand
51	06-12-662	Professional Conduct	Reprimand
52	06-12-664	Professional Conduct	Reprimand

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PSC ACTION: Approved

Case #06-6-1497

MOTION: (Dartt / Smith) To amend the recommendation from a No Probable Cause to a One Year Suspension.

PSC ACTION: Approved

Case #06-11-438:

MOTION: (Powell / Bradley) To amend the recommendation from a 90 Day Suspension to No Probable Cause.

PSC ACTION: Approved

Opposed: Stephen Dartt

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

CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	ADMINISTRATIVE LAW JUDGE SANCTION	RECOMM.
05-2-1287	Criminal Acts Abuse of Students Professional Conduct	Revocation	Revocation	Accept
05-11-622	Misrepresentation or Falsification Failure to Make a Required Report Criminal Acts Professional Conduct Action Taken In Another State	Denial	Denial	Accept

PSC ACTION: Approved

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	RECOMMENDATION
06-8-161	Right to Reapply	Revocation - 8/14/2005	Abuse of Students Professional Conduct	Deny
06-11-539	Right to Reapply	Revocation - 9/11/2003	Abuse of Students Professional Conduct Public Funds and Property	Deny

PSC ACTION: Approved

Abstention: Hester Vasconcelos-Case #06-11-539

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

#	CASE NUMBER	SANCTION	RECOMMENDATION
1	06-6-1380	Reprimand	Accept
2	06-9-205	Reprimand	Accept
3	06-9-244	Reprimand	Accept
4	06-9-298	Reprimand	Accept
5	06-9-310	Reprimand	Accept
6	06-10-350	Suspension for One Year March 23, 2007 - March 23, 2008	Accept
7	06-10-404	Suspension for 30 Contract Days June 1, 2006 - June 30, 2006	Accept
8	06-11-490	Reprimand	Accept
9	06-11-536	Reprimand	Accept
10	06-11-540	Suspension for One Year March 23, 2007 - March 23, 2008	Accept
11	06-11-557	Reprimand	Accept
12	06-12-633	Reprimand	Accept
13	06-12-634	Reprimand	Accept

PSC ACTION: Approved

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

CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION	RECOMMENDATION
04-1-1055	Professional Conduct	Warning	Warning	Accept
04-5-1624	Criminal Acts Professional Conduct	Denial	Reprimand	Accept
04-9-292	Criminal Acts Failure to Make a Required Report	Reprimand	Reprimand	Accept
04-11-645	Professional Conduct	Reprimand	No Probable Cause	Accept
05-5-1657	Professional Conduct	Suspension - 20 Contract Days	Suspension - 20 Contract Days	Accept
05-7-38	Criminal Acts Professional Conduct	Denial	No Probable Cause	Accept

CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION	RECOMMENDATION
05-9-385	Criminal Acts Abuse of Students Misrepresentation or Falsification Professional Conduct	Suspension - One Year	Suspension - One Year	Accept
05-11-530	Public Funds and Property Professional Conduct	Suspension - 90 Contract Days	Suspension - 60 Contract Days	Accept
05-11-628	Alcohol or Drugs Professional Conduct	Reprimand	Suspension - 90 Contract Days	Reject
05-11-644	Confidential Information Professional Conduct	Suspension - 20 Contract Days	Suspension - 10 Contract Days	Accept
06-3-973	Professional Conduct	Suspension - 20 Contract Days	Suspension - 20 Contract Days	Accept
06-3-1074	Professional Conduct	Suspension - 90 Contract Days	Suspension - 90 Contract Days	Accept
06-4-1158	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct Action Taken in Another State	Suspension – 1 Year	No Probable Cause	Reject
06-4-1187	Abuse of Students Alcohol or Drugs Misrepresentation or Falsification Professional Conduct	Revocation	Revocation	Accept
06-5-1299	Professional Conduct	Reprimand	Warning	Accept
06-6-1377	Misrepresentation or Falsification Professional Conduct	Suspension - 90 Contract Days	Suspension - 30 Contract Days	Accept
06-6-1397	Confidential Information Professional Conduct	Suspension - 20 Contract Days	Reprimand	Reject
06-6-1429	Criminal Acts Professional Conduct	Denial	Reprimand	Accept

PSC ACTION: Approved

Abstention: Wanda West-Case #04-9-292

6. Ms. Miller reported that the Educator Ethics Review Committee reviewed 3 *Voluntary Surrender/Voluntary Denial* and brought the following recommendation on behalf of the Committee:

CASE NUMBER	SANCTION	STANDARDS VIOLATED	RECOMM.
06-6-1408	Revocation	Criminal Acts Abuse of Students Professional Conduct	Accept
06-11-528	Revocation	Abuse of Students Professional Conduct	Accept
06-12-660	Revocation	Abuse of Students Professional Conduct	Accept

PSC ACTION: Approved

7. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 92 new complaints received during the months of February 2007 and March 2007.

PSC ACTION: Approved

8. **EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS**

The Educator Ethics Review Committee recommended approval of the 12 Extensions - Preliminary Investigative Determinations consisting of the following:

07-2-898	January 31, 2007
07-2-899	January 31, 2007
07-2-900	January 31, 2007
07-2-901	January 31, 2007
07-2-902	January 31, 2007
07-2-903	January 31, 2007
07-2-904	January 31, 2007
07-2-905	February 2, 2007
07-2-906	February 2, 2007
07-2-907	February 5, 2007
07-2-908	February 5, 2007
07-2-975	February 2, 2007

PSC ACTION: Approved

9. **EXTENSIONS - INVESTIGATIONS**

The Educator Ethics Review Committee recommended granting an *Investigative Extension* to the following 62 Written Complaint cases and 85 Application cases:

WRITTEN COMPLAINT EXTENSIONS:

07-1-678	06-11-544	06-11-447	06-10-405	07-1-683	06-10-325	06-11-575
07-1-684	06-12-630	06-11-448	06-10-415	06-6-1390	06-10-326	07-1-706
06-8-203	06-12-647	06-11-504	06-11-500	06-8-151	06-10-328	
06-11-580	06-12-666	06-4-1178	06-11-501	06-8-170	06-10-379	
06-12-665	07-1-687	06-9-209	06-11-505	06-8-171	06-10-411	
06-11-431	07-1-711	06-9-258	06-11-526	06-8-180	06-11-432	
06-11-491	06-5-1243	06-9-312	06-12-632	06-8-193	06-11-494	
06-11-498	06-6-1386	06-10-334	06-12-661	06-10-318	06-11-496	
06-11-506	06-8-200	06-10-348	07-1-677	06-10-323	06-11-510	
06-11-537	06-11-439	06-10-367	07-1-679	06-10-324	06-11-542	

APPLICATION CASE EXTENSIONS:

06-8-75	06-12-667	07-1-737	07-1-763	07-1-774	07-1-787	07-1-801	07-1-812	07-1-823
06-11-486	06-12-673	07-1-738	07-1-764	07-1-775	07-1-788	07-1-803	07-1-813	07-1-824
06-11-495	07-1-722	07-1-739	07-1-765	07-1-776	07-1-790	07-1-804	07-1-814	07-1-827
06-11-545	07-1-724	07-1-741	07-1-766	07-1-777	07-1-791	07-1-805	07-1-815	07-1-829
06-11-546	07-1-726	07-1-745	07-1-767	07-1-778	07-1-792	07-1-806	07-1-816	07-1-830
06-11-553	07-1-728	07-1-746	07-1-768	07-1-780	07-1-794	07-1-807	07-1-817	
06-12-650	07-1-729	07-1-756	07-1-769	07-1-782	07-1-795	07-1-808	07-1-818	
06-12-655	07-1-731	07-1-757	07-1-771	07-1-783	07-1-797	07-1-809	07-1-819	
06-12-656	07-1-733	07-1-760	07-1-772	07-1-784	07-1-798	07-1-810	07-1-820	
06-12-658	07-1-736	07-1-762	07-1-773	07-1-786	07-1-799	07-1-811	07-1-821	

PSC ACTION: Approved

10. APPLICATIONS FOR CERTIFICATION REPORT

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 34 cases reflected on the *Applications for Certification Report*.

PSC ACTION: Approved

11. REVIEW HEARING EXTENSIONS

The Commission reviewed the *Review Hearing Extensions Report* concerning 2 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 14 certificates *suspended* from February 8, 2007 through March 8, 2007. There were 15 certificates *reinstated* because restitution is now being made on those student loans. The Committee was also advised that there were 12 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 13 cases now closed without an appeal for a hearing before an Administrative Law Judge. The report also advised that there were 2 cases closed without an appeal for a review hearing before the Commission.

VII. EXECUTIVE SECRETARY REPORT

A. Educator Preparation Rules for Adoption

MOTION: (Muns / Robinson) To repeal the current rules in Chapter 505-3 (Educator preparation), effective April 15, 2007, as follows: 505-3-.58 and 505-3-.73; and (2) adopt new rules in Chapter 505-3 (Educator Preparation), effective April 15, 2007, as follows: 505-3-.58 and 505-3-.73.

PSC ACTION: Approved

B. Dr. Toth gave the commissioners the “Dates for Upcoming Commission Meetings”. The April 12th, 2007 commission meeting will be held in Young Harris, Georgia at the Brasstown Valley Resort. The former Governor of Georgia, Zel Miller, is from Young Harris and Dr. Toth will send him an invitation to attend the commission meeting. The commission would be honored to have him as our guest.

C. A presentation on the GACE Faculty Resources Web-site was held on February 21st, 2007 at Macon State College. All RESA’s and colleges and universities were invited. Many of the faculty members were impressed with the web-site.

D. NASDTEC will have their annual conference on June 4, 2007 in Salt Lake City, Utah. If any of the commissioners have not attended a NASDTEC conference they are welcome to come.

E. Representative Bill Hembree and others have presented a bill that would allow an alternative certification route without testing. The Professional Standards Commission, the Department of Education and Georgia Association of Educators are against the bill.

G. Rick Eiserman, Director of Certification Policy, attended the SCOLT/FLAG (Southern Conference on Language Teaching/Foreign Language Association of Georgia) on March 2nd, 2007. Dr. Toth thanked him for attending the meeting. He gave the commissioners an email sent to Mr. Eiserman from Elizabeth Webb, Georgia Department of Education. In the email, Mimi Met, Senior Research Assistance for the National Foreign Language Center, said that she was amazed with Georgia’s new foreign language certification rules.

VIII. EXECUTIVE SECRETARY REPORT

- Dr, Debbie Wilkes announced that our April 12th commission meeting will be held at the Brasstown Valley Resort in Young Harris, Georgia.
- Dr. Louisa Moffitt thanked Stephen Dartt for being so helpful and informative in navigating our new computer system during this transition period.
- Dr. Holly Robinson mentioned that during the Teacher of the Year program many people mentioned to her that the Ethics DVD has been very informative and helpful.
- Dr. Craig Smith thanked Dr. Gary Walker for the presentation that he gave to the Council for Exceptional Children in Macon, Georgia.

IX. ADJOURNMENT

Chair Wilkes called for the meeting to be adjourned at 9:55 a.m.

PSC ACTION: Approved