

MINUTES

PROFESSIONAL STANDARDS COMMISSION

Two Peachtree Street

Atlanta, Georgia

October 13, 2011

The Georgia Professional Standards Commission (PSC) met on Thursday, October 13, 2011, at 12:30 p.m.

Members Present

Julia Bernath
Marci Cawthon
Alice Clements
Penny Elkins
Dr. Adrian Epps
Heath Garrett

Bill Haskin
Meredith Hodges
David Johnson
Stephanie Leggett
Christy McGill
Rose Powell

Dr. Lawrence Walters
Pam Walker
Dr. Debbie Wilkes
Pam Williams
Valerie Williams

Members Absent

Bettina Polite Tate

I. CALL TO ORDER

Chair Wilkes called the meeting to order at 12:30 p.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: (Dr. Penny Elkins / Rose Powell) To approve the agenda.

PSC ACTION: Approved

III. APPROVAL OF MINUTES

Chair Wilkes called for approval of the minutes from the September 8, 2011, Commission meeting.

PSC ACTION: Approved

IV. VISITORS

Chair Wilkes welcomed the visitors.

- Margaret Elliott, Professional Association of Georgia Educators
- Gayle Wooten, Professional Association of Georgia Educators
- John Hooper, Georgia School Superintendents Association
- Stephen Terr, SAS Institute
- Cindi Chance, Georgia Association of Colleges for Teacher Education
- Karen Jones, Georgia Association of Educators
- Jeannette Dulack, Argosy University
- Deloris Banks, Argosy University
- Linda Fortson, Warren Fortson Law Office

V. COMMITTEE REPORTS

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

Commissioner Rose Powell of the Educator Ethics Review Committee (EERC), gave a preliminary review of the Cases.

- Ms. Powell reported that the Committee reviewed 39 *Probable Cause* cases during its October 13, 2011, meeting and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>STANDARDS VIOLATED</u>	<u>RECOMMENDATION</u>
11-2-735	4, 10	Suspension 90 days
11-3-815	2, 10	Revoke
11-3-834	5, 10	Suspension 2 years
11-3-845	3, 10	Suspension 1 year
11-4-978	2, 10	Suspension 45 days
11-4-982	2, 10	Suspension 1 year
11-4-1017	9, 10	Suspension 1 year
11-4-1027	9, 10	NPC
11-4-1060	1, 10	Revoke
11-5-1076	4, 10	Revoke
11-5-1087	10, 11	Suspension 20 days
11-5-1122	10, 11	Suspension 1 year
11-5-1123	10, 11	Suspension 2 years
11-5-1124	10, 11	NPC
11-5-1138	10, 11	Suspension 1 year
11-5-1174	3, 10	Suspension 1 year
11-6-1211	2, 10	Suspension 20 days
11-6-1212	1, 4, 10	Suspension 20 days
11-6-1223	4, 7, 10	Suspension 2 years
11-6-1224	4, 7, 10	Revoke
11-6-1225	4, 7, 10	Suspension 2 years
11-6-1232	10, 11	Suspension 1 year
11-6-1261	1, 10	Extend
11-6-1274	4, 10, 11	Extend
11-7-18	2, 10	Suspension 30 days (Retro credit)
11-7-82	1, 2, 10	Revoke
11-8-104	4, 10	Suspension 20 days
11-8-204	4, 7, 10	Suspension 2 years
11-8-205	4, 7, 10	Suspension 2 years
11-8-206	4, 7, 10	Suspension 2 years
11-8-207	4, 7, 10	Suspension 2 years

11-07-059	1, 4, 10	Reprimand
11-8-208	4, 7, 10	Suspension 2 years
11-8-209	4, 7, 10	Suspension 2 years
11-8-211	4, 7, 10	Suspension 2 years
11-8-212	4, 7, 10	Suspension 2 years
11-8-213	4, 7, 10	Revoke
11-8-214	4, 7, 10	Revoke
11-8-215	4, 7, 10	Revoke

2. Ms. Powell reported that the Educator Ethics Review Committee reviewed 3 **Initial Decisions** and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>STANDARDS VIOLATED</u>	<u>ALJ SANCTION</u>
09-12-655	10	Suspension 90 days
10-3-998	10	NPC
10-4-1014	9, 10	Suspension 3 months

3. Ms. Powell reported that the Educator Ethics Review Committee reviewed 10 **Petitions Issues** and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>PREVIOUS SANCTION</u>	<u>EERC RECOMMEND</u>
10-11-472	Voluntary Surrender	Deny
11-4-992	Revocation	Deny
11-4-1063	Denial	Grant
11-5-1074	Revocation	Deny
11-6-1259	Revocation	Grant
11-7-1	Denial	Deny
11-7-19	Denial	Deny
11-7-29	Denial	Deny
11-8-108	Suspension 3 Years	Deny
11-8-184	Denial	Grant

4. Ms. Powell reported that the Educator Ethics Review Committee reviewed 9 **Settlement Agreements** and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>SANCTION</u>	<u>EERC RECOMMEND</u>
09-4-1090	Suspension - 20 days	Accept
11-2-737	Suspension - 90 days	Accept
11-3-811	Suspension - 5 days	Accept
11-3-838	Reprimand	Accept
11-4-964	Reprimand	Accept
11-5-1070	Reprimand	Accept
11-5-1071	Suspension - 5 days	Accept
11-6-1229	Reprimand	Accept
11-6-1267	Reprimand	Accept

5. Ms. Powell reported that the Educator Ethics Review Committee reviewed 26 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>NEGOTIATED SANCTION</u>	<u>EERC RECOMMEND</u>
09-4-1162	NPC	Accept
09-4-1166	Suspension 2 Years	Accept
09-4-1175	Suspension 20 days	Accept
09-5-1247	Suspension 15 days	Accept
09-6-1335	Reprimand	Accept
09-7-123	Revocation	Accept
09-8-226	NPC	Accept
10-2-827	Suspension 90 days	Accept
10-3-932	NPC	Accept
10-5-1144	Suspension 90 days R	Accept
10-5-1186	Suspension 10 days	Accept
10-5-1230	Suspension 1 Year	Accept
10-6-1271	Suspension 5 days	Accept
10-6-1412	Suspension 90 days	Accept
10-12-618		
10-6-1435	Warning	Accept
10-7-51	Suspension 1 Year	Accept
10-10-371	Reprimand	Accept
10-10-433	Suspension 3 days	Accept
10-11-488	Reprimand	Accept
10-11-518	Suspension 5 days	Accept
10-11-519	Suspension 5 days	Accept
10-12-554	Reprimand	Accept
10-12-598*	Suspension 3 days / Reprimand	Reject
11-1-655	Reprimand	Accept
11-1-712	NPC	Accept
11-3-817	Suspension 5 days	Accept

6. OTHER BUSINESS

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

<u>CASE</u>	<u>ORIGINAL</u>	<u>PROPOSED</u>	<u>EERC RECOMMEND</u>
09-12-628	Reprimand	Warning	Accept
10-9-298	Susp 1 Year	Retro Credit	Reject
PCE-11-2-793	No Service	Hold New App	Accept
PCE-11-5-1125	No Service	Hold New App	Accept
PCE-11-5-1175	Expand investigation	Expand	

7. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 128 new complaints received during the months of September and October 2011.

8. EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS

The Educator Ethics Review Committee recommended approval of the 21 Extensions - Preliminary Investigative Determinations consisting of the following:

11-8-254	11-8-255	11-8-256	11-8-257	11-8-258	11-8-259	11-8-260	11-8-261
11-8-262	11-8-263	11-8-264	11-8-265	11-8-266	11-8-267	11-9-269	11-9-270
11-9-271	11-9-272	11-9-273	11-9-274	11-9-275			

9. EXTENSIONS - INVESTIGATIONS

The Educator Ethics Review Committee recommended granting and *Investigative Extension* to the following 62 Written Complaints and 04 Application cases:

Written Complaint Extensions

10-7-34	10-9-331	10-11-478	10-11-502	10-11-511	10-11-512	10-11-513	10-11-514
10-11-515	10-12-553	10-12-562	10-12-569	10-12-607	10-12-611	11-1-646	11-2-794
11-2-804	11-2-806	11-4-915	11-4-999	11-4-1000	11-4-1026	11-4-1031	11-4-1036
11-4-1046	11-4-1061	11-4-1066	11-4-1068	11-5-1075	11-5-1085	11-5-1086	11-5-1087
11-5-1098	11-5-1117	11-5-1118	11-5-1119	11-5-1131	11-5-1132	11-5-1148	11-5-1149
11-5-1174	11-5-1175	11-5-1176	11-6-1191	11-6-1192	11-6-1193	11-6-1204	11-6-1205
11-6-1209	11-6-1221	11-6-1222	11-6-1227	11-6-1228	11-6-1234	11-6-1236	11-6-1237
11-6-1252	11-6-1255	11-6-1256	11-6-1271	11-6-1272	11-6-1273		

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Application Case Extensions

10-12-623	11-3-876	11-6-1249	11-6-1278
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10. **APPLICATIONS FOR CERTIFICATION REPORT**

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 27 cases reflected on the *Applications for Certification Report*.

11. **REVIEW HEARING EXTENSIONS**

The Commission reviewed the *Review Hearing Extensions Report* concerning 3 hearing cases. An Administrative Law Judge rendered Initial Decisions on each case referenced in the report. The report indicates Orders were issued.

12. **STUDENT LOAN SUSPENSION / REINSTATEMENTS**

The Commission reviewed the report, which indicated that there were no certificates suspended from September 8, 2011 through October 13, 2011. There were 2 certificates that had been *reinstated* because restitution is now being made on those student loans.

13. **FINAL DECISIONS BY OPERATION OF LAW**

The Commission reviewed the report, which advised of 8 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.

Chair Wilkes called for approval of the Educator Ethics Review Committee report as presented by Rose Powell excluding case #'s 11-4-1017, 11-5-1123, 11-6-1211, 11-7-18 and 11-6-1232.

PSC ACTION: Approved

Abstention: Dr. Penny Elkins – 11-8-184/Dr. Adrian Epps – 11-4-1063, 11-7-54, 11-8-184/Pam Williams – 11-8-108/Pam Walker – 11-9-342, 10-2-827

Probable Cause Case # 11-4-1017

MOTION: (Rose Powell / Pam Walker) To reject the PSC staff recommendation of a 1 Year Suspension and accept the recommendation of a 90 Day Suspension.

PSC ACTION: Approved

Probable Cause Case # 11-5-1123

MOTION: (Dr. Penny Elkins / David Johnson) To reject the PSC staff recommendation of a 2 Year Suspension and accept the recommendation of a 1 Year Suspension.

PSC ACTION: Approved

Probable Cause Case # 11-6-1211

MOTION: (Rose Powell / Stephanie Leggett) To accept the PSC staff recommendation of a 20 Day Suspension.

PSC ACTION: Approved

Opposed: Marci Cawthon, Julia Bernath

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Probable Cause Case # 11-7-18

MOTION: (Valerie Williams / Pam Williams) To accept the PSC staff recommendation of a 30 Day Retroactive Suspension.

PSC ACTION: Approved

Opposed: Dr. Adrian Epps

Probable Cause Case # 11-6-1232

MOTION: (Meredith Hodges / Julia Bernath) To accept the PSC staff recommendation of a 1 Year Suspension.

PSC ACTION: Approved

VI. RULES

Anne Marie Fenton presented the rules for initiation.

MOTION: (Dr. Penny Elkins / Dr. Adrian Epps) 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 January 15, 2012, as follows: 505-2-.116, and 505-2-.300; (2) initiating the current rules in Chapter 505-2 Certification, effective January 15, 2012, as follows: 505-2-.210; (3) amending the current rules in Chapter 505-3 Educator Preparation, effective January 15, 2012, as follows: 505-3-.12; (4) initiating the current rules in Chapter 505-3 Educator Preparation, effective January 15, 2012, as follows: 505-3-.55; and (5) amending the current rules in Chapter 505-6 Educator Ethics, effective January 15, 2012, as follows: 505-6-.05.

PSC ACTION: Approved

VII. ADJOURNMENT

Chair Wilkes called for the meeting to be adjourned at 1:15 p.m.

PSC ACTION: Approved