

# MINUTES

## PROFESSIONAL STANDARDS COMMISSION

DHR Board Room  
Two Peachtree Street  
Atlanta, Georgia 30303-3141  
September 9, 2004

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

### Members Present

Lee Muns	Carolyn Lee Hart	Bo Slack
Terri DeLoach	Dottie McClain	Dr. Debbie Wilkes
Stephen Dartt	Maria Miller	Jean Ebron
Mary Gomez	Janet Scott	

### Members Absent

Dr. Craig Smith	Amy Denty
Gwenda Johnson	Gary Bechtel

### I. CALL TO ORDER

Chair DeLoach called the meeting to order at 9 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
- John Hooper, Georgia School Superintendents Association
- DeBrae Kennedy, Attorney General
- Ann Duffy, Board of Regents
- Mary Thompson
- Andy Matthews, Griffin-Spalding Schools
- Felicia Lee, Georgia Association of Educators (GAE)
- James David Dunham, Attorney

### III. ADOPTION OF AGENDA

Chair DeLoach added an Executive Session to follow the Educator Ethics report and then called for approval of the agenda.

**MOTION:** (Miller / Ebron) To approve agenda.

**PSC ACTION:** Approved

### IV. APPROVAL OF MINUTES

Chair DeLoach called for approval of the minutes from the August 12, 2004, Commission meeting.

**PSC ACTION:** Approved

**V. COMMITTEE REPORTS**

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

Commissioner Bo Slack, Co-Chair of the Educator Ethics Review Committee (EERC), gave a preliminary review of the Cases.

1. Mr. Slack reported that the Committee reviewed 67 *Probable Cause* cases during its September 8, 2004, meeting and brought the following recommendations on behalf of the Committee excluding case #'s 13, 14, 15, 38, 39 and 61:

<b>PC #</b>	<b>Case Number</b>	<b>STANDARD(S)</b>	<b>EERC Recommendation</b>
1	04-02-1185 PR	Abandonment of Contract Professional Conduct	Suspension for One Year
2	04-05-1572 PR	Abandonment of Contract	Suspension for Six Months
3	04-06-1754 PR	Abandonment of Contract Professional Conduct	Suspension for Six Months
4	04-07-015 PR	Abandonment of Contract	Suspension for Six Months
5	04-03-1375 PR	Abuse of Students Misrepresentation or Falsification Professional Conduct	Suspension for Two Years
6	04-04-1499 PR	Abuse of Students Professional Conduct	Revocation
7	(Addendum Information) 04-06-1727 PR	Abuse of Students Professional Conduct	Reprimand
8	04-06-1730 PR	Abuse of Students Professional Conduct	Revocation
9	04-07-013 PR	Abuse of Students Professional Conduct	Suspension for One Year
10	04-06-1731 PR	Misrepresentation or Falsification Alcohol or Drugs	Revocation
11	04-06-1726	Confidential Information Professional Conduct	Reprimand
12	04-03-1222 Applicant (Addendum Information)	Criminal Acts Professional Conduct	No Probable Cause
13	04-05-1571 PR	Criminal Acts Abuse of Students Public Funds and Property Professional Conduct	Revocation
14	04-05-1593 PR	Criminal Acts	Revocation

<b>PC #</b>	<b>Case Number</b>	<b>STANDARD(S)</b>	<b>EERC Recommendation</b>
15	04-05-1594 PR	Criminal Acts Professional Conduct	Revocation
16	04-06-1678 PR	Criminal Acts Professional Conduct	No Probable Cause
17	(Addendum Information) 04-06-1725 PR	Criminal Acts Professional Conduct	Revocation
18	04-06-1740 PR	Criminal Acts	Reprimand
19	04-06-1835 Applicant	Criminal Acts	Denial
20	04-06-1844 Applicant	Criminal Acts	No Probable Cause
21	04-06-1858 PR	Criminal Acts	Reprimand
22	04-06-1864 PR	Criminal Acts Misrepresentation or Falsification Professional Conduct	Revocation
23	04-07-026 Applicant	Criminal Acts Professional Conduct	No Probable Cause
24	04-07-004 PR	Failure to Make a Required Report	Reprimand
25	04-05-1562 PR	Misrepresentation or Falsification Professional Conduct	Reprimand
26	04-05-1599 PR	Misrepresentation or Falsification	Reprimand
27	04-05-1638 PR	Misrepresentation or Falsification Professional Conduct	Suspension for One Year
28	04-06-1701 PR	Misrepresentation or Falsification Criminal Acts	No Probable Cause
29	04-06-1736 PR	Failure to Make a Required Report Misrepresentation or Falsification Public Funds and Property	Suspension for One Week
30	(Addendum Information) 04-06-1743 PR	Professional Conduct Misrepresentation or Falsification Criminal Acts	Warning
31	04-06-1756 PR	Failure to Make a Required Report Misrepresentation or Falsification	Suspension for One Month
32	04-06-1765 PR	Misrepresentation or Falsification Professional Conduct	Suspension for Two Years
33	04-06-1780 PR	Misrepresentation or Falsification	No Probable Cause
34	04-06-1812 Applicant (Addendum Information)	Misrepresentation or Falsification Criminal Acts	Warning
35	04-07-001 PR	Misrepresentation or Falsification Professional Conduct	Reprimand

<b>PC #</b>	<b>Case Number</b>	<b>STANDARD(S)</b>	<b>EERC Recommendation</b>
36	04-07-030 Applicant	Misrepresentation or Falsification Criminal Acts Failure to Make a Required Report	Warning
37	04-07-031 PR	Misrepresentation or Falsification Criminal Acts	No Probable Cause
38	04-04-1517 PR	Misrepresentation or Falsification Professional Conduct	Suspension for Six Months
39	04-05-1564 PR	Misrepresentation or Falsification Professional Conduct	Suspension for Three Months
40	04-06-1751 PR	Misrepresentation or Falsification	No Probable Cause
41	04-06-1761 PR	Misrepresentation or Falsification	Reprimand
42	04-06-1762 PR	Misrepresentation or Falsification	Reprimand
43	04-06-1763 PR	Misrepresentation or Falsification	Reprimand
44	04-06-1774 PR	Misrepresentation or Falsification	Reprimand
45	04-06-1807 PR	Misrepresentation or Falsification	Reprimand
46	04-06-1808 PR	Misrepresentation or Falsification	No Probable Cause
47	04-07-017 Parapro - PR	Misrepresentation or Falsification	Warning
48	04-04-1469 PR	Professional Conduct	Revocation
49	04-04-1520 PR	Professional Conduct	Reprimand
50	04-05-1583 PR	Professional Conduct Alcohol or Drugs	No Probable Cause
51	04-06-1733 PR	Professional Conduct	No Probable Cause
52	04-06-1734 PR	Professional Conduct	Warning
53	04-06-1748 PR	Professional Conduct	Reprimand
54	04-06-1760 PR	Professional Conduct	Suspension for One Week
55	04-06-1768 PR	Professional Conduct	No Probable Cause
56	04-06-1770 PR	Professional Conduct	No Probable Cause

<b>PC #</b>	<b>Case Number</b>	<b>STANDARD(S)</b>	<b>EERC Recommendation</b>
57	04-06-1771 PR	Professional Conduct	No Probable Cause
58	04-06-1776 PR	Professional Conduct	Reprimand
59	04-06-1827 PR	Professional Conduct	Warning
60	04-07-002 PR	Professional Conduct	Warning
61	04-07-003 PR	Professional Conduct	Suspension for One Week
62	04-07-007 PR	Professional Conduct	Reprimand
63	04-07-011 PR	Professional Conduct	Reprimand
64	04-07-039 PR	Professional Conduct	Extend Probable Cause Determination until November 11, 2004 Letter of Intent
65	04-05-1668 PR	Public Funds and Property Misrepresentation or Falsification Professional Conduct	Reprimand
66	04-06-1826 PR	Public Funds and Property Professional Conduct	Revocation
67	04-07-005 PR	Public Funds and Property Professional Conduct	Revocation

**PSC ACTION:** Approved

**Case #'s 13, 14, 15**

After discussion, Chair DeLoach called to accept the EERC's recommendations for case #'s 13, 14, and 15.

**PSC ACTION:** Approved

**Case #'s 38 and 39**

After discussion, Chair DeLoach called to accept the EERC's recommendations for case #'s 38 and 39.

**PSC ACTION:** Approved

**Case # 61**

**MOTION:** (Dartt / Muns) To amend the EERC recommendation from a One Week Suspension to a Reprimand.

**PSC ACTION:** Approved

**MOTION:** (Dartt / Muns) To adopt case #61 as an amended motion.

**PSC ACTION:** Approved

2. Ms. Scott reported that the Educator Ethics Review Committee reviewed 5 *Initial Decisions* and brought the following recommendations on behalf of the Committee excluding case #3:

<b>Case Number</b>	<b>Ethical Violation</b>	<b>ALJ Initial Decision</b>	<b>EERC Recomm.</b>
03-03-1721	Misrepresentation or Falsification Professional Conduct	Revocation	Accept
03-07-0152	Abuse of Students; Professional Conduct	Revocation	Accept
03-06-2403	Public Funds and Property Professional Conduct	Suspension for Six Months	Accept
03-07-139	Criminal Acts; Professional Conduct	Denial	Accept
03-04-2062	Misrepresentation or Falsification Professional Conduct	Suspension for Three Months	Accept

**PSC ACTION:** Approved

**Case # 3**

**MOTION:** (Miller / Dartt) To remand the case back to the Office of State Administrative Hearings.

**PSC ACTION:** Approved

**MOTION:** (Dartt / Muns) To adopt case #3 as an amended motion.

**PSC ACTION:** Approved

3. Ms. Scott reported that the Educator Ethics Review Committee reviewed 1 *Petitions Issue* and brought the following recommendations on behalf of the Committee:

<b>Case Number</b>	<b>Educator</b>	<b>Nature of Petition</b>	<b>Previous Decision (Violation)</b>	<b>EERC Recomm.</b>
04-07-122	Tonjie Clark	Right to Reapply	Denied - Dec. 4, 1997 Denied Right to Reapply - Nov. 11, 2001	Grant

**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:

<b>Case Number</b>	<b>Sanction</b>	<b>Violation</b>	<b>EERC Recomm.</b>
04-04-1450	Suspension for One Month	Abuse of Students; Professional Conduct	Accept
04-04-1454	Warning	Criminal Acts; Professional Conduct	Accept
04-04-1516	Reprimand	Professional Conduct; Abuse of Students	Accept
04-04-1527	Warning	Misrepresentation or Falsification; Criminal Acts; Failure to Make a Required Report	Accept
04-05-1554	Reprimand	Misrepresentation or Falsification: Testing	Accept
04-05-1558	Reprimand	Criminal Acts; Misrepresentation or Falsification; Failure to Make a Required Report	Accept

<b>Case Number</b>	<b>Sanction</b>	<b>Violation</b>	<b>EERC Recomm.</b>
04-05-1567	Warning	Criminal Acts; Misrepresentation or Falsification; Failure to Make a Required Report	Accept
04-05-1576	Reprimand	Professional Conduct	Accept
04-05-1577	Suspension for Six Months	Public Funds and Property; Professional Conduct	Accept
04-05-1584	Reprimand	Professional Conduct	Accept
04-05-1591	Suspension for One Week	Misrepresentation or Falsification: Testing Professional Conduct	Accept
04-05-1598	Reprimand	Misrepresentation or Falsification: Testing	Accept
04-05-1608	Warning	Misrepresentation or Falsification: Previous Suspension	Accept
04-05-1639	Suspension for Six Months	Misrepresentation or Falsification: Testing Professional Conduct	Accept
04-05-1663	Warning	Misrepresentation or Falsification; Criminal Acts; Failure to Make a Required Report; Professional Conduct	Accept
04-06-1683	Warning	Criminal Acts; Misrepresentation or Falsification	Accept
04-06-1778	Reprimand	Alcohol or Drugs; Professional Conduct	Accept
04-06-1799	Warning	Misrepresentation or Falsification: Testing	Accept

\*\*\*Indicates Educator/Applicant Voluntarily Accepted a Sanction of Revocation or Denial Prior to the Probable Cause Determination

**PSC ACTION:** Approved

5. Ms. Scott reported that the Educator Ethics Review Committee reviewed 6 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee:

<b>Case Number</b>	<b>Violation</b>	<b>Negotiated Proposal</b>	<b>EERC Recomm.</b>
04-03-1341	Professional Conduct	Warning	Accept
02-12-1323	Abuse of Students; Professional Conduct; Improper Remunerative Conduct	Revocation	Accept
03-10-585	Misrepresentation or Falsification: Testing Professional Conduct	No Probable Cause - Dismissal	Accept
03-04-2058	Abuse of Students; Professional Conduct; Public Funds and Property	Revocation	Accept
03-08-284	Misrepresentation or Falsification; Public Funds and Property Professional Conduct	Suspension for One Week	Accept
03-05-2144	Misrepresentation or Falsification; Public Funds and Property Professional Conduct	Suspension for Three Years	Accept

**PSC ACTION:** Approved

6. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 74 new complaints received during the months of August 2004 and

September 2004:

**PSC ACTION:** Approved

**7. EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS**

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

**PSC ACTION:** Approved

Case Number: 04-8-176, 04-8-177, 04-8-178, 04-8-179

**8. EXTENSIONS - INVESTIGATIONS**

The Educator Ethics Review Committee recommended granting and *Investigative Extension* to the following 55 cases:

Case Number	Case Number	Case Number	Case Number	Case Number	Case Number
04-04-1471	04-07-009	04-06-1755	04-07-12	04-07-64	04-07-131
04-05-1664	04-06-1728	04-06-1772	04-06-1752	04-07-65	04-07-132
04-05-1665	04-06-1782	04-07-016	04-06-1834	04-07-109	04-07-133
04-05-1671	04-06-1783	04-06-1777	04-06-1841	04-07-110	04-07-141
04-06-1719	04-07-010	04-05-1666	04-06-1862	04-07-111	04-07-144
04-06-1767	04-05-1662	04-05-1670	04-07-36	04-07-112	
04-06-1809	04-06-1784	04-06-1707	04-07-38	04-07-114	
04-06-1813	04-07-006	04-06-1720	04-07-48	04-07-115	
04-06-1814	04-07-014	04-06-1759	04-07-49	04-07-116	
04-07-008	04-06-1747	04-06-1825	04-07-52	04-07-118	

**PSC ACTION:** Approved

**9. APPLICATIONS FOR CERTIFICATION REPORT**

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 19 cases reflected on the *Applications for Certification Report*.

**PSC ACTION:** Approved

**10. 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 that have been issued by the Commission to extend time by 30 additional days to preserve the Commission’s time to conduct review hearings.

**PSC ACTION:** Approved

**11. STUDENT LOAN SUSPENSION / REINSTATEMENTS**

The Commission reviewed the report, which indicated that there were no certificates suspended from August 12, 2004 until September 9, 2004. The Commission was also advised that there were not any certificates that had been



*reinstated* because restitution is now being made on those student loans.

## **12. FINAL DECISIONS BY OPERATION OF LAW**

The Commission reviewed the report, which advised of 20 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.

## **OTHER BUSINESS**

<b>Case Number</b>	<b>DESCRIPTION</b>	<b>EERC Recomm.</b>	<b>PSC Final Decision</b>
04-2-1187	Superior Court Order Granting Right to Reapply	File Application with Court of Appeals	No Appeal

**MOTION:** (Muns / Miller) To go into Executive Session to discuss case # 04-2-1187.

**ACTION:** Approved

**MOTION:** (Hart / Ebron) To come out of Executive Session and reconvene the Regular Session.

**ACTION:** Approved

**MOTION:** (Muns / Gomez) To not accept the EERC recommendation to file an application for discretionary appeal with the court of appeals. Based on the Fulton County Superior Court ruling, the educator will be granted the right to reapply for a Georgia Educators certificate.

**ACTION:** Approved

Opposed: Stephen Dartt, Bo Slack, Maria Miller

## **B. Educator Preparation Standing Committee**

Committee Chair, Mary Gomez, presented the report of the Educator Preparation Standing Committee.

### **Recommendation to the Commission for Agnes Scott College**

The Standing Committee for Educator Preparation recommends Developmental Approval for the Agnes Scott College professional education unit and educator preparation programs. Areas for Improvement should be addressed in the Annual Report.

### **Recommendation to the Commission for Mercer University**

The Standing Committee for Educator Preparation recommends Developmental Approval for the Mercer University Educational Leadership advanced preparation program. Areas for Improvement should be addressed in the Annual Report.

### **Recommendation to the Commission for University of Georgia**

The Standing Committee for Educator Preparation recommends Developmental Approval for the University of Georgia Early Childhood Mathematics Endorsement program. Areas for Improvement should be addressed in the Annual Report.

**Recommendation to the Commission for Savannah-Chatham County Public Schools**

The Standing Committee for Educator Preparation recommends Denial of Approval for the Savannah-Chatham County Public Schools Gifted Education Endorsement program.

**Recommendation to the Commission for Metropolitan RESA**

The Standing Committee for Educator Preparation recommends Developmental Approval for the Metropolitan RESA Georgia Teacher Alternative Preparation Program (GA TAPP). Areas for Improvement should be addressed in the Annual Report.

**Recommendation to the Commission for Middle Georgia RESA**

The Standing Committee for Educator Preparation recommends Developmental Approval for the Middle Georgia RESA English for Speakers of Other Languages and Gifted Education Endorsement programs. Areas for Improvement should be addressed in the Annual Report.

**Recommendation to the Commission for Albany State University**

The Standing Committee for Educator Preparation recommends Continuing Approval with Conditions for the Albany State University educator preparation programs, excluding Music Education. A report on the Not Met standard is due August 31, 2005. Areas for Improvement should be addressed in the Annual Report.

The Standing Committee for Educator Preparation recommends Developmental Provisional Approval for the Music Education program. A report on the Not Met standard is due August 31, 2005.

**Recommendation to the Commission for Augusta State University**

The Standing Committee for Educator Preparation recommends Continuing Approval for the Augusta State University educator preparation programs, excluding the Advanced Middle Grades Education program. Areas for Improvement should be addressed in the annual report.

The Standing Committee for Educator Preparation recommends Continuing Approval with Conditions for the Advanced Middle Grades Education program. A report on the Not Met standard is due March 1, 2005.

**Recommendation to the Commission for Georgia Southwestern State University**

The Standing Committee for Educator Preparation recommends that the Georgia Southwestern State University progress report submitted July 1, 2004 demonstrates unsatisfactory progress. A report addressing the Commission's previous request to link the assessment system to the conceptual framework and include Georgia 2000 Standards 7 and 8 in the Assessment System Framework Chart is due October 1, 2004.

**Recommendation to the Commission for Paine College**

The Standing Committee for Educator Preparation recommends that the Paine College progress report, submitted June 11, 2004 demonstrates unsatisfactory progress and Areas for Improvement shall remain. A report addressing the Areas for Improvement is due October 15, 2004.

**Recommendation to the Commission for Middle Georgia RESA**

The Standing Committee for Educator Preparation recommends that the Middle Georgia RESA Teacher Alternative Preparation Program (TAPP) progress report submitted June 30, 2004, demonstrates satisfactory progress and the Area for Improvement may be removed.

**Recommendation to the Commission for Northwest Georgia RESA**

The Standing Committee for Educator Preparation recommends that the Northwest Georgia RESA One-Year Supervised Practicum Program progress report submitted, July 7, 2004, demonstrates satisfactory progress. Areas for Improvement may be removed.

**Recommendation to the Commission for Dalton City Schools**

The Standing Committee for Educator Preparation recommends Developmental Approval for the Dalton City Schools Instructional Technology Course, *Employing Technology in Teaching and Learning*. Areas for Improvement should be addressed in a report due October 1, 2004.

**Recommendation to the Commission for Thomas University**

The Standing Committee for Educator Preparation recommends that the July 26, 2004 Thomas University Progress Report demonstrates satisfactory progress. Standard 2 may be changed to Met and approval status may be changed to Continuing Approval.

**MOTION:** (Muns / Hart) To accept the Educator Preparation report and the Educator Preparation Standing Committee's recommendations

**PSC ACTION:** Approved

**VI. REVIEW HEARINGS**

- |                      |                               |
|----------------------|-------------------------------|
| 1. Randall Lee Jacob | - Educator (Case # 03-08-298) |
| F.D. Toth            | - Hearing Officer             |
| Penny Hannah         | - PSC Attorney                |
| James David Dunham   | - Attorney                    |

**MOTION:** (Muns / McClain) To go into Executive Session and allow PSC staff (Gary Walker, Cassandra Moore and Lisa Hartzler) to remain.

**ACTION:** Approved

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

**ACTION:** Approved

**MOTION:** (Muns / McClain) To adopt the Findings of Fact, Conclusions of Law and Decision reached by the Administrative Law Judge. This recommendation made by the Administrative Law Judge that No Probable Cause exists to take action against the Georgia educator certificate held by Randal Lee Jacob was hereby adopted. The complete investigative file in this matter was hereby sealed and expunged.

**PSC ACTION:** Approved

**VII. EXECUTIVE SECRETARY REPORT**

A. Rick Eiserman, Director of Certification Policy, presented the PSC Rules505-2 Series Certification, Initiate Rules Packet.

**MOTION:** (Miller / Slack) To initiate the amendment and adoption of the rules in chapter 505-2 Certification as listed in the recommended initiation packet.

11/19/2004

Page 12

**ACTION:** Approved

**B.** Dr. Toth announced that the October commission meeting will be held in Atlanta and the November commission meeting will be held in Cordele, Georgia at the Retreat at Lake Blackshear.

**C.** Dr. Toth gave the commissioners a copy of the American Association of Colleges for Teacher Education Briefs. He spoke briefly about the article entitled "Preschool Teachers Need Bachelor's Degree".

### **VIII. CHAIR'S REPORT**

Chair DeLoach, spoke briefly about the Georgia Committee on Quality Teaching (CQT).

**MOTION:** (Slack / Hart) To support the identified strategies and initiatives of the CQT committee and provide specific direction and leadership for strategies regarding strengthening teacher professionalism and setting performance standards for teacher preparation, certification and renewal.

**ACTION:** Approved

### **IX. ADJOURNMENT**

**MOTION:** (Slack / Gomez) To adjourn the meeting.

**PSC ACTION:** The meeting adjourned at 11:30 a.m.