

# Georgia Professional Standards Commission



**Schools of Education - Code of Ethics  
Reporting**



# What is the Professional Standards Commission?

- Commission of 18 members
- 9 teachers (1 from private school)
- 2 Local School System BOE members
- 3 Business representatives
- 2 School Administrators
- 2 Higher Education Professionals - 1 from private college and 1 from a state college
- Governor appoints each member to a 3 year term – members eligible to serve two terms

**Professional Standards  
Commission – Three Divisions**

**Certification Division**

**Educator Preparation  
Division**

**Ethics Division**

# Georgia Ranked #33

- > Overall grade: C-
  - > Per pupil spending: \$9,152 (12th smallest)
  - > High school graduation rate: 70.0% (3rd lowest)
  - > Pct. of eligible children enrolled in preschool: 49.4% (12th highest)
- Georgia has one of the higher shares of children enrolled in preschool and kindergarten programs. Despite early preparedness, just 70% of Georgia's high schoolers graduate on time -- the third lowest rate in the country. Georgia school districts spend an average of \$9,152 per student annually, about \$2,500 less than the average U.S. school district spends per student. Georgia students also perform slightly worse on the math and reading sections of the NAEP than the average U.S. student. Household wealth can play a major role in academic achievement, and nearly half of all Georgia children are from families with income less than twice the national poverty level -- one of the higher shares in the country.

# Losers

**Alabama - 45**

- **Overall grade: D+**  
**Per pupil spending: \$9,600 (15th smallest)**  
**High school graduation rate: 75.0% (8th lowest)**  
**Pct. of eligible children enrolled in preschool: 41.9% (14th lowest)**

Depending on the survey:

**Mississippi or Nevada - 50**

Winners  
New Jersey  
and  
Massachusetts

# Where Are The Students?

- 218 Approved Charter schools
- 92% of Georgia students attend the public schools of Georgia - 1,673,740 students
- Private Schools - 107,509 students
- Home School - 42,474 students

# Outcomes of Ethics Cases Closed in FY17

Outcome	Count
Administrative Closure	9
Clearance	838
Denial	21
Denied Right to Reapply	17
Duplicate - Closed	135
Granted Right to Reapply	5
Hold New App	131
No Jurisdiction	2
Operator error	23
Remanded	85
Reprimand	148
Revocation	101
Suspension	178
Suspension & Monitoring	1
Warning	22
Total	1716

<b>Standard Violated for Sanctioned Cases in FY17</b>	<b>Percent of Total</b>
Standard 1: Legal Compliance	16%
Standard 2: Conduct With Students	15%
Standard 3: Alcohol or Drugs	3%
Standard 4: Honesty	17%
Standard 5: Public Funds and Property	3%
Standard 6: Remunerative Conduct	1%
Standard 7: Confidential Information	1%
Standard 8: Abandonment of Contract	2%
Standard 9: Required Reports	5%
Standard 10: Professional Conduct	35%
Standard 11: Testing	2%

# **Code of Ethics**

**Code of “Common Sense”**

# Definition of Educator

**20-2-982.1.(2) "Educator" means education personnel who hold, have applied for, or been denied certificates, permits, or other certification documents issued by the Georgia Professional Standards Commission.**

# PSC Process - Complaint

PSC has two requirements:

1. Complaint must be made in writing by a Georgia citizen .
2. The complaint must be signed, with contact information for the complainant. The PSC does not accept anonymous complainants.

# Complaint

Complaint is reviewed and the PSC decides:

1. No Probable Cause (NPC)
2. Investigate
3. Remand
4. No Jurisdiction

**Standard 1**

# **Legal Compliance**

**The educator was  
convicted of criminal  
offenses pertaining to the  
forging and passing of  
prescriptions for drugs.**

**Revoked**

# Conduct with Students

**For the purposes of the  
Code of Ethics, the  
enrollment period for a  
graduating student  
ends on August 31 of  
the year of graduation.**

# Sexual Abuse of Students

## Revocation

**Young people instinctively recognize these boundary violations and often nickname the employee engaged in such violations a “pervert,” based on their perceived sense of inappropriateness.**

*Mary Jo McGrath*

**The Principal exchanged over 1,100 text messages with two female students in a 2-month time period that contained discussions of alcohol, drugs, and sex.**

**Two Year Suspension**

**The educator admitted that he and a student had been romantically involved around June 2009 after she graduated. The student confirmed that she and the educator began to date right after she graduated and that they moved in together. The student would not confirm or deny their involvement during the school year. The educator is recently divorced from another former student, whom he married after she graduated. The educator is currently engaged to former student who graduated.**

**Suspended Two Years**

**The educator engaged in a sexual relationship with a thirteen year old male student that her daughter was dating.**

**Revoked**

**The educator provided alcoholic beverages that were consumed by students at a party at her residence.**

**One Year Suspension**

# Student Relationship Guidelines

## **Social Networking**

**Don't accept students as friends and decline any student initiated social network friend requests.**

**Don't post anything on a website that you would not post on the front door of the school.**

# Student Relationship Guidelines

~~Email~~

~~Phone Calls~~

**Be Friendly,  
Not a Friend.**

~~Gossip~~

~~Parties~~

~~Inappropriate Jokes~~

~~Photographs~~

# Student Relationship Guidelines

~~Home~~

**Choose**



**Appropriate  
Settings**

~~Dark Room~~

~~Closet~~

# Sexual Relationship with Students

O.C.G.A. 16-6-5.1

Person who has supervisory or disciplinary authority over a student who engages in sexual contact with students...

**Standard 3**

**Alcohol  
or  
Drugs**

**The educator was involved in the manufacture, use and distribution of methamphetamine at her residence. The educator took methamphetamine onto school system property and provided methamphetamine to student aged individuals.**

**Revoked**

**The educator was under the influence of alcoholic beverages while on school campus. Breath test readings were .160gms and .167gms.**

**One Year Suspension**

**The educator fell asleep in class and failed to supervise two of his students engaged in oral sex during class time. On a required drug test the educator tested positive for cocaine.**

**Revoked**

The educator attended a school meeting under the influence of alcohol. Several witnesses observed the educator's behavior and stated that she smelled of alcohol. The results of a breath test were .264 at 4:25 p.m. and .256 at 4:41 p.m. When interviewed by administration and an employee relations investigator, the educator denied alcohol use stating that she was on medication and provided inconsistent accounts of her whereabouts on that day. The educator completed a 30-day inpatient addiction rehabilitation program.

**Suspended One Year**

Standard 4

**Honesty**

# PSC Application for Certification Cases

## Georgia PSC Application - Page 3 of 3

**Applicant's Name:** \_\_\_\_\_ **SSN or Cert ID:** \_\_\_\_\_  
*Please Print*                      *Last,*                      *First*                      *Middle*

**8. Personal Affirmation:** The applicant should enter a truthful "Yes" or "No" response to each of the following questions. All questions must have a response in order for the application process to continue. **"YES"** responses automatically open an investigation and require an attached explanation along with any additional supporting documentation. **DO NOT include matters that the GaPSC has investigated or is currently investigating.**

- Y**  **N** 1. Have you ever had an adverse action (*i.e. warning, reprimand, suspension, revocation, denial, voluntary surrender, disbarment*) taken against a professional certificate, license or permit issued by an agency **OTHER THAN the Georgia Professional Standards Commission?**
- Y**  **N** 2. Are you currently the subject of an investigation involving a violation of a profession's laws, rules, standards or Code of Ethics by an agency **OTHER THAN the Georgia Professional Standards Commission?**
- Y**  **N** 3. Have you ever received a less than honorable discharge from any branch of the armed services? (*If "yes", provide a copy of form DD214.*)
- Y**  **N** 4. While under investigation, have you ever left an employment position (*retired, resigned, been dismissed, terminated, non-renewed or otherwise*)?
- Y**  **N** 5. Are you currently the subject of an investigation involving sexual misconduct or physical harm to a child?
- Y**  **N** 6. Are you the subject of a pending investigation involving a criminal act?
- Y**  **N** 7. For any **felony** or any **crime involving moral turpitude**, have you ever:
- ◆ Pled guilty;
  - ◆ Entered a plea of *nolo contendere*;
  - ◆ Been found guilty;
  - ◆ Pled guilty to a lesser offense;
  - ◆ Been granted first offender treatment without adjudication of guilt;
  - ◆ Participated in a pre-trial diversion program;
  - ◆ Been found not guilty by reason of insanity; or
  - ◆ Been placed under a court order whereby an adjudication or sentence was withheld?
- Y**  **N** 8. Have you ever been convicted, or pled to a lesser offense for any sexual offense?
- Y**  **N** 9. Have you been convicted of a drug offense (felony or misdemeanor)?

**The educator admitted to changing the grades of 12 students in four subjects with no documentation supporting the grade changes. The educator stated it was done for the benefit of the students.**

**10 Day Suspension**

**The educator fabricated her IEP paperwork by cutting signatures from other documents, pasting them on the required paperwork, and photocopying the paperwork to conceal the cut and paste. She submitted the fabricated documents to the school system.**

**90 Day Suspension**

**Standard 5**

# **Public Funds & Property**

# Standard 5

The Educator charged a total of \$9069.63 on the system credit card. Over \$4900 of that amount was determined to be personal expenses of the Educator. The Educator took her daughter and husband to the FCCLA National Convention in California. The Educator listed her daughter as a competitor in the competition and her husband as a chaperone. The Educator claimed her daughter's and her husband's expenses as expenses to be paid from the various FCCLA funds and fundraisers. The Educator added eight days to the trip, so that the participants could enjoy more leisure time events while in California. The Educator spent over \$4,900 in system or school related funds on numerous unauthorized activities.

**Two Year Suspension**

**The Educator used school system computer equipment to exchange emails of a sexual nature with another educator. The emails were obtained by an Open Records Request and published in local newspapers.**

**90 Day Suspension**

**The educator used her school system computer to access dating and singles websites soliciting relationships with men during instructional time and CRCT test administration. This included arranging meetings for the purpose of having sex.**

**One Year Suspension**

Standard 6

# Remunerative Conduct

**A Coach opened multiple bank accounts with school funds without the school's approval. Checks totaling thousands of dollars were written to "cash" or to the Educator. This left the school over \$27,000 in debt.**

**Three Year Suspension**

# Other Remunerative Conduct Cases

- Solicited parents to pay for private music lessons
- Accepted gifts in exchange for extra credit points or starting positions on teams
- Promoted a personal business to students, teachers and parents (*Private Coaching*)
- Collected fees for participation in marching band and paid himself to conduct band camp
- Requested a ocean fishing trip from a vendor after a large purchase with no bid.

Standard 7

# Confidential Information

Standard 8

# Abandonment of Contract

**An educator shall fulfill all of the terms and obligations detailed in the contract with the local board of education or education agency for the duration of the contract.**

# Abandonment of Contract

- The PSC expects educators to honor their contracts.
- The PSC has identified circumstances that warrant educators leaving their contracted positions without a release.
- Educators are expected to make every effort to minimize the effect on the students experiencing the loss.

# Standard 8

The educator entered into a contract with the school system signed and dated 07/26/16 for the 2017 school year. The educator submitted an emailed letter of resignation on 08/02/16 due to a promotion in another school system. The school system's HR Director sent the educator a letter, dated 08/03/16, not officially releasing her but separating her employment with the school system. The educator provided a subsequent letter from the HR Director, dated 09/12/16, accepting her resignation and officially releasing her from her 2016-2017 contract.

**No Probable Cause**

**Standard 9**

# **Required Reports**

## O.C.G.A. § 19-7-5

**'Child abuse'** includes the following conduct by a child's parent or caretaker:

- **Physical injury or death** (*by other than accidental means*)
- **Neglect or exploitation of a child**
- **Sexual abuse** - *an act of apparent sexual stimulation or gratification ...*
- **Sexual exploitation** - allows, permits, encourages, or requires a child to engage in prostitution or sexually explicit conduct ....

**What is “reasonable  
cause to believe?”**

**Very low threshold**

**The High School Principal failed to report rumors that a female student was involved with a male teacher until after the teacher was arrested and charged Sexual Assault.**

**One Year Suspension**

**The Educator failed to disclose the revocation of a Florida certificate in 1976 for providing alcohol to students, consuming alcohol in the presence of students, and engaging in an inappropriate physical relationship with a student.**

**Revoked**

Standard 10

# Professional Conduct

## Standard 10

**An educator shall demonstrate conduct that follows generally recognized professional standards and preserves the dignity and integrity of the teaching profession.**

**The educators admit leaving 17 students unsupervised at a hotel to attend a theater performance. The students obtained and consumed alcoholic beverages and participated in sexual acts while the educators were away.**

**Suspend 2 Years**

**The educator is a teacher at a CTAE high school. The educator used her personal vehicle to transport a student away from campus without the permission of the student's parent. The student reportedly told the educator that she did not want to go home because her mother was being mean to her. The student's mother stated that she spoke with the educator and directed her to bring the student home. The educator did not deliver the student to her mother. The educator allowed the student to spend the night in her home. The educator's response to the PSC indicates that the student told the educator that her father had given her permission to spend the night with the educator. The student did not live with her father at that time.**

**Suspend 2 Years**

Standard 11

# Testing

## Standard 11

**An educator shall  
administer state  
mandated assessments  
fairly and ethically.**

Having difficulty getting  
your students to pass the  
standardized tests try:

**CHEATING!**

**TEACHING!**

**The educator provided a study guide to students was just like the CRCT. DOE confirmed that the study guide matched the test. Witnesses' statements confirmed that the educator copied testing material.**

**One Year Suspension**

**Other Grounds  
for Disciplinary  
Action against a  
Certificate**

## **Other Grounds for Disciplinary Action:**

- **Disciplinary action against a certificate in another state on grounds consistent with those specified in the Code of Ethics for Educators.**
- **Order from a court or a request from DHR that a certificate be suspended or denied for non-payment of child support.**

## **Other Grounds for Disciplinary Action:**

- **Default on or unsatisfactory repayment status on a student loan.**
- **Suspension or revocation of any professional license or certificate.**
- **Violation of laws and rules applicable to the profession.**
- **Any other good and sufficient cause that renders an educator unfit for employment as an educator.**

# Contact Information

**Director Paul A. Shaw**

**GA Professional Standards Commission  
Ethics Division**

**Phone: (404) 232-2635 [paul.shaw@gapsc.com](mailto:paul.shaw@gapsc.com)**

**Or**

**John Grant**

**Assistant Director & Chief Investigator**

**[john.grant@gapsc.com](mailto:john.grant@gapsc.com)**

**Phone: (404) 232-2626**

