

31st Annual Certification and



Program Officials Conference

Ethics Investigations 101

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Download our Presentation

- Go to www.gapsc.com
- Point to **Educator Preparation** in the blue bar to open the drop down menu
- Click on **Conference Presentations**



Personnel Investigations are always an interruption, but time is of the essence.

In this day and time, you need to check out the most random of comments reported to you.

Who, what, when, where, why - report?

Is it a Crime?

If a criminal act has been committed:

- Secure all evidence
- Contact law enforcement
- Document what has been done

O.C.G.A. § 19-7-5

- **An oral report shall be made as soon as possible** by telephone or otherwise and followed by a report in writing, if requested, to a child welfare agency providing protective services, as designated by the Department of Human Resources of any reports of 'Child abuse' including:
- **Physical injury or death** inflicted upon a child **by a parent or caretaker** (by other than accidental means)
- **Neglect or exploitation** of a child by a parent or caretaker
- **Sexual abuse** - sexual intercourse; masturbation; lewd exhibition; ...physical contact in an act of apparent sexual stimulation or gratification ... "Sexual abuse" shall not include consensual sex acts involving persons of the opposite sex when the sex acts are between minors..."
- **Sexual exploitation** - conduct by a child's parent or caretaker who allows, permits, encourages, or requires that child to engage in: prostitution; or sexually explicit conduct for the purpose of producing any visual or print medium depicting such conduct.

Common Issues

- **Technology**
 - ✓ Social Media – FaceBook, Instagram, Snap-Chat, Twitter
 - ✓ Cell Phones – texting, sexting, photographs, messages
- **Drugs – Prescription or Illegal**
 - ✓ Overly medicated – meet with employee
 - ✓ May need to request documentation of prescription/s and dosage
 - ✓ Check for authenticity of physician
 - ✓ Require physical exam
- **Alcohol**
 - ✓ When to conduct a reasonable suspicion drug/alcohol test?

Basic Rules for a Successful Investigation

- **Provide training for school and system level administrators**
- Operate on a “need to know basis”
- Analyze the situation – what do you need to do first - *timing is everything*
 - *Technology issue – do you need to shut down the computer/s of those involved*
 - *Check out FaceBook, Instagram and all other social media*
 - *Confiscate the cell phone/or take pictures of text and images*
 - *Do you need to remove the employee from the classroom or work area?*
 - *Involve system law enforcement, outside agencies, GBI*

Basic Tools for a Successful Investigation

- Designate a notebook specifically for documentation of personnel issues – *For your eyes only!*
 - *Document date, time, how you were notified, by whom – basically a diary of events*
- Create a specific file on your computer for **personnel issues**
- Search employee/s school mail
- Security cameras inside and outside the building
- *Your intuition...*

Interviewing the Accused and Witnesses

- Location of interviews
- Separation of witnesses
- Compile your list of questions and evidence, if available
- If the situation involves inappropriate touching or hitting, have the witness show you what happened
- When interview is complete, have the witness write a statement on what they just told you
 - *Legibility and signature*
- Compare statements from accused and witnesses

Interviewing Students

- Have a school administrator with you
- Ask the student if they know **why** you are talking with them
 - If not, review the situation and ask if they know anything
 - If inappropriate touching or hitting, ask them to demonstrate
- It is very important with older students, to keep them separated
- Ask for a written statement
 - If the child is too young, write it for them and read it back for clarity
- At the conclusion of the interview, tell the child they can tell their parents about the discussion.

Electronic Communication – Stay Smart!

- When sharing investigative information through e-mail, do not write the findings within the e-mail.
Create a Word document then send as an attachment.
- Be careful what you say within email and text messages
- The FORWARD button can be dangerous
- Assume your email and text messages may be requested through an Open Records Request
- Cell phones – personal and work

Next Steps

- Review all documentation and organize
 - Make a copy of documentation
- Discuss with your superintendent and school board attorney, if necessary
- Confidentiality.....the less who know the better
- Superintendent will make the ultimate decision as to the outcome of the employee/s and will make a recommendation to the school board
- If applicable, compile your information for reporting to the Professional Standards Commission
- Certification and employment – the difference between the two.

Reporting to the Ethics Division

A report of the alleged violation(s) is required within 90 days.

You may need to report the violation while your internal investigation is ongoing. If so, provide all information to date in the complaint packet.

Do not wait for the PSC investigation to conclude to complete your findings at the local level.

Include your findings and any sanctions (local) that are issued to the Educator.

- Suspensions
- Resignations
- Terminations
- Non-renewals
- Training
- Reassignments

Objective of Investigation

Obtain and document as much information as possible. The more information that is obtained the easier it is for the Commissioners to make a decision.

Standard of Proof

- Preponderance of Evidence (Civil)
 - More likely it happened than it did not happen.
 - PSC standard of proof
- Beyond a Reasonable Doubt (Criminal)

GAPSC General Complaint Process

All complaints both General and from the LUA must be signed for processing.

The link to the PSC website and the “Complaint form and instructions”

<https://www.gapsc.com/Ethics/Complaint.aspx>

GAPSC LUA Complaint Forms

The screenshot shows the Georgia Professional Standards Commission (GAPSC) website. The browser's address bar displays "gapscc.org/home.asp". The website header features the GAPSC logo and the text "Georgia Professional Standards Commission" and "Protecting Georgia's Higher Standard of Learning". A prominent banner reads "Please Sign In" with a document icon. Below this, a red-bordered box contains the following text:

This website is for use by local units of administration and educator preparation program providers only.

All others may access the agency's public website at www.gapscc.com. Email inquiries may be sent using the contact form available [here](#).

Educators can monitor the status of an application, view/print their certificate and correspondence, access the upgrade advisor, and much more from their [MyPSC](#) account.

Below the text box is a sign-in form with the following fields and elements:

- Username:
- Password: ☐ Show Password
- [Forgot username or password?](#)
-

The Windows taskbar at the bottom shows the time as 8:31 PM on 9/27/2025, with a weather forecast of "Heavy rain soon" and a notification icon for 11 messages.



Georgia Professional Standards Commission
Local Unit of Administration Complaint Form

Date of Complaint* _____

Educator's Full Name* _____

Educator's Address _____

Educator's Work Phone _____ Educator's Cell Phone _____

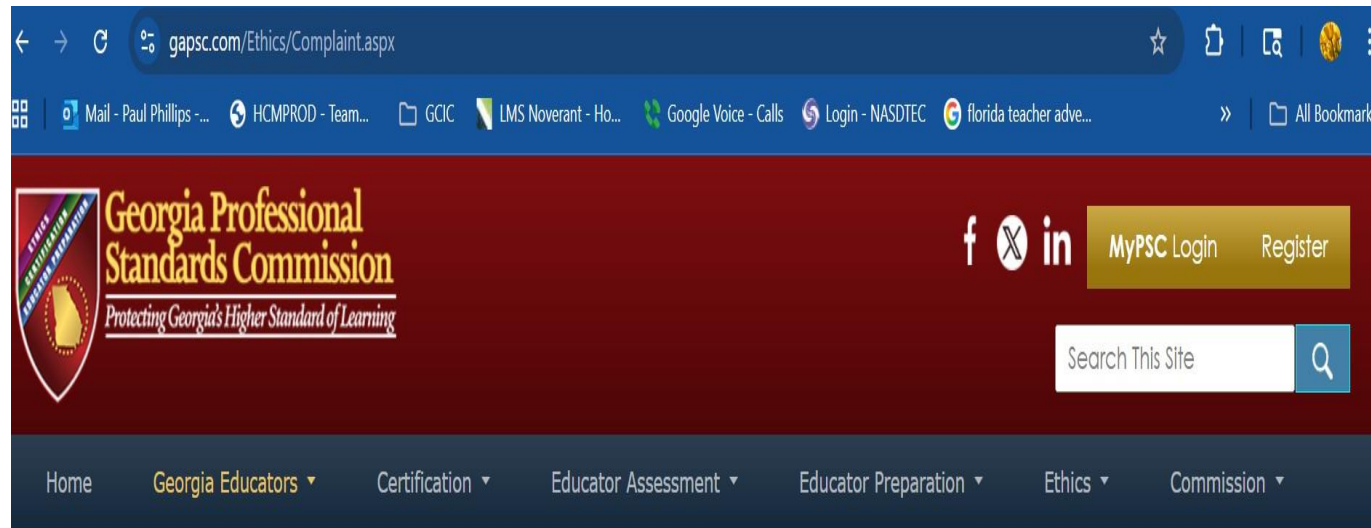
Educator's School System or Agency* _____

Educator's School or Program* _____

Educator's Employment Position* _____

Educator's Current Employment Status (include effective date of separation and reason indicated on personnel records)

Briefly describe the alleged violation of the Code of Ethics for Educators. Include dates and time of alleged violations.*



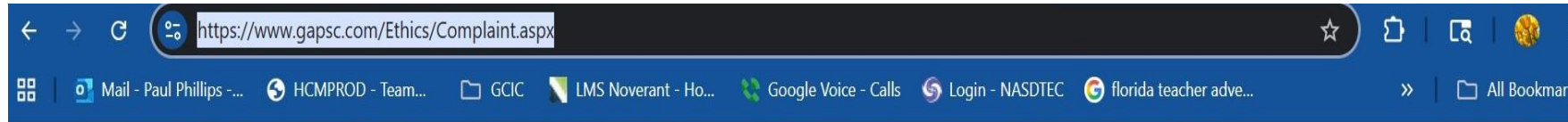
Complaint Form and Instructions

The State of Georgia has authorized the Georgia Professional Standards Commission to establish and uphold ethical and professional standards within the teaching profession. The Code of Ethics for Georgia Educators lists those standards. The Commission also has the authority to conduct investigations to determine if probable cause exists to believe that an educator has committed an act that warrants disciplinary action.

A school district's administration or board should handle issues related only to local school policy and procedures, as the Commission does not have jurisdiction over local issues.

According to Georgia law, any citizen of the state of Georgia may file a complaint against a certified/licensed educator. The complaint must be in writing and signed by the complainant. To help the GaPSC staff process your

Public/ General Complaint Form



Public Submission

- Complete all areas of the [General Complaint Form](#) for Public Submission. Be sure to include the educator's full name, school district, and school location or program.
- Briefly describe the alleged violation of the Code of Ethics for Educators or the reason for your complaint.
- Include dates and times of alleged violation.
- If applicable, attach supporting documentation including the names, addresses, and telephone numbers of any potential witnesses, if known.
- Mail or fax the completed forms to the Educator Ethics Division at the address or fax number given on the bottom of the form.

Public or Private School Districts

- The **LUA Complaint** and **Testing Violation Complaint** forms are accessible in the 'Downloads' section after signing in to www.gapsc.org.



Georgia Professional Standards Commission
Local Unit of Administration Complaint Form

Date of Complaint* _____

Educator's Full Name* _____

Educator's Address _____

Educator's Work Phone _____ Educator's Cell Phone _____

Educator's School System or Agency* _____

Educator's School or Program* _____

Educator's Employment Position* _____

Educator's Current Employment Status (include effective date of separation and reason indicated on personnel records)

Briefly describe the alleged violation of the Code of Ethics for Educators. Include dates and time of alleged violations.*

Possible Investigation Outcomes

- **No Probable Cause** – (NPC) to issue a sanction
- **No Further Action-** (NFA) No sanction issued
- **Reprimand-** a letter denoting the violations of standards
- **Suspension** (educators with property rights) up to two (2) years
- **Denial** – of a certification (Applicants with no property rights)
- **Revocation-** of all certifications (educators with property rights)
- Upon notice of the proposed sanction, the educator has the opportunity to request a hearing (within 30 days).
- Hearings are held at the Office of State Administrative Hearings (OSAH), at a later date.

Standards Commonly Investigated

- **1. Legal Compliance:**

An Educator (includes applicants) **SHALL** abide by federal, state and local laws and statutes.

- **Meaning:** Violation of a law (misdemeanor or felony) other than traffic code misdemeanors; via citation summons, arrest or warrant.

- **2. Conduct with Students:**

An educator shall always maintain a professional relationship with all students, both in and outside the classroom.

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Standards

- **Meaning:** Any child abuse (physical or verbal), child cruelty or endangerment, any sex act with a student or solicitation, engaging or permitting harassment towards a student; soliciting, encouraging or consummating an inappropriate relationship with a student (verbal, electronic, physical etc.); furnishing alcohol or any illegal or unauthorized substances to a student; fail to prevent the illegal use of alcohol etc. by a student under the educator's supervision. (this in not the exhaustive list only a brief representation.)
- **3. Alcohol or drugs:** An educator **shall** refrain from the use of alcohol or illegal or unauthorized drugs during the course of professional practice.

Standards

- **Meaning:** On premises or at a sponsored location or any event related to school.
- Consider an educator under the influence if any standard indicators are present. These are not limited to the following: slurred speech, enlarged pupils, bloodshot eyes, personality change, lack of coordination, poor motor skills, memory or concentration problems
- **4: Honesty:** An educator shall exemplify honesty and integrity in the course of professional practice. Unethical conduct includes but is not limited to, falsifying, misrepresenting, or omitting: professional qualifications, criminal history, college credits, student evaluation, etc.
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Standards

- **Meaning:** Any falsification or failure to provide the correct information.
- **5. Public Funds and property:** An educator entrusted with public funds and property shall honor that trust with a high level of honesty, accuracy, and responsibility.
- **Meaning:** Misuse of school or public funds, failing to account for funds from students or parents, submitting fraudulent requests (documents, reimbursements etc.)co-mingling public and private accounts, use of school district property without proper approval.

Standards

- **6. Renumerative Conduct:** An educator shall maintain integrity with students, colleagues, parents, patrons, or businesses when accepting gifts, gratuities, favors, and additional compensation.
- **Meaning:** Soliciting for, accepting of gifts, money supplies, equipment etc.; tutoring for money unless approved, coaching in leagues or other entities that serve the students of the district where employed.

Standards

- **8. Required Reports:** An educator shall file with the Georgia Professional Standards Commission reports of a breach of one or more of the standards in the Code of Ethics for Educators, child abuse (O.C.G.A. §19-7-5), or any other required report.

Meaning:


- Failure to report all requested information on an application with PSC.
- Fail to make a report of an alleged or proven violation of a standard, to the PSC, within 90 days.
- Fail to make a report of an alleged or proven violation of state, federal or local law, to the PSC, within 90 days.

Standards

- **9. Professional Conduct:** An educator shall demonstrate conduct that follows generally recognized professional standards and preserves the dignity and integrity of the education profession. Unethical conduct includes but is not limited to a resignation that would equate to a breach of contract; any conduct that impairs and/or diminishes the certificate holder's ability to function professionally in his or her employment position; or behavior or conduct that is detrimental to the health, welfare, discipline, or morals of students; or failure to supervise a student(s).

Standards

- **10. Testing:** An educator shall administer state-mandated assessments fairly and ethically.
- **Meaning:**
 - Any act they breaches test security
 - Any act that compromises the integrity of the assessment



**Kindergartners love
surprises,
Your superintendent
does not.**



Paul Phillips, Lead CJIS Investigator
GA Professional Standards Commission

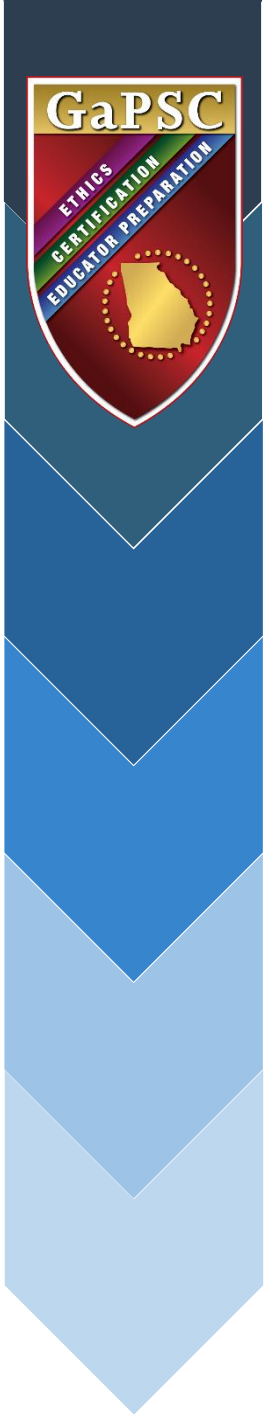
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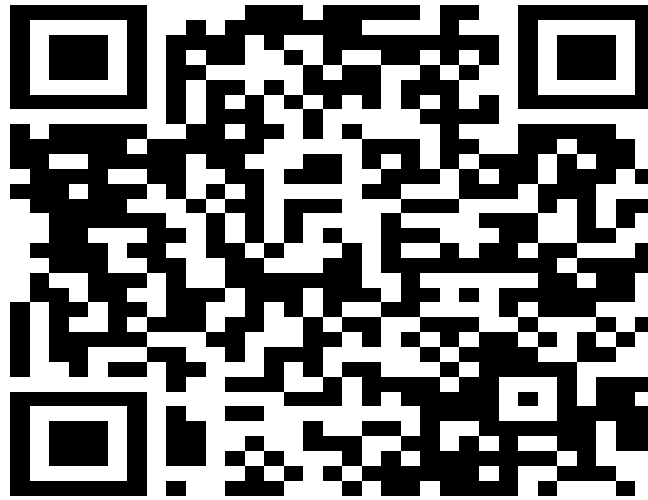
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Thank you for participating in our presentation.
At your convenience, please complete the enclosed survey.
We are continually striving to improve our practices to assist you.



<https://www.surveymonkey.com/r/CertCon25>