

GaPSC Ethics Division

**Common Ethical Violations and Associated Sanctions**

Related to GaPSC Rule 505-6-.01

January 1, 2023

*Not intended to be an exhaustive list. The GaPSC is authorized to issue any sanction it deems appropriate after review of the investigative findings. The following is intended to be used as guidance for the GaPSC and public.*

<b>Common Ethical Violation</b>	<b>Common Sanction</b>
Clearance Criteria so long as disclosed (See pg. 3 for approved Clearance Criteria)	No Probable Cause
Failure to Disclose Criminal History on Application for Certification	20-day Suspension
Breach of Contract without a Documented Mitigating Factor	90-day Suspension
Being on School or LUA District Premises While Under the Influence of Alcohol	1-year Suspension
Failure to Respond to Additional Requests for Information Regarding Criminal History Information on Application for Certification	Revocation
Inappropriate Sexual Conduct with Students	Revocation

*Suspensions of less than 1 year are to be enforced on contract days. Suspensions for 1 year or more are to be enforced on calendar days.*

**Professional Standards Commission  
Educator Ethics Division  
Guidelines for Clearance  
May 11, 2023**

**The Commission authorizes minimum guidelines for cases to be placed on a monthly report for a “No Probable Cause” determination in the following instances.**

**For Initial Applicants:**

- Juvenile convictions, except in cases involving sexual misconduct, murder, voluntary manslaughter, rape, aggravated sodomy, aggravated child molestation, aggravated sexual battery, or robbery.
- Misdemeanor convictions more than five years prior to initial certification that do not involve moral turpitude, except in cases involving sexual misconduct and drug related convictions.
- Misdemeanor bad check convictions.
- Misdemeanor shoplifting convictions more than five years prior to initial certification.
- Criminal acts not related to any other authorized area of investigation.
- Traffic-related incidents.
- Affirmative answers in error, if no record of any criminal history exists and no record of any misconduct or termination from employment for misconduct exists.
- Reports of termination from employment that do not involve a felony, a crime of moral turpitude, or breach of any profession’s code of ethics.
- NASDTEC entries of sanctions that would not be a violation of the Code of Ethics for Georgia Educators or that are for issues already investigated by the Commission.
- School system reports involving non-disclosure of criminal histories or misrepresentation by educators in which the school system is not able to document the allegations of misrepresentation.

**For Certified Educators:**

- Juvenile convictions, except in cases involving sexual misconduct, murder, voluntary manslaughter, rape, aggravated sodomy, aggravated child molestation, aggravated sexual battery, or robbery.
- Misdemeanor bad check convictions.
- Previously disclosed misdemeanor shoplifting convictions more than five years prior to initial certification.
- Criminal acts not related to any other authorized area of investigation.
- Traffic-related incidents.
- Affirmative answers in error, if no record of any criminal history exists and no record of any misconduct or termination from employment for misconduct exists.
- Reports of termination from employment that do not involve a felony, a crime of moral turpitude, or breach of any profession’s code of ethics.
- NASDTEC entries of sanctions that would not be a violation of the Code of Ethics for Georgia Educators or that are for issues already investigated by the Commission.
- School system reports involving non-disclosure of criminal histories or misrepresentation by educators in which the school system is not able to document the allegations of misrepresentation.

*Cases meeting these criteria, including application cases and written complaints, each month are on a chart for the Commission's consideration for a no probable cause determination. A Commission member may request that a case be removed from the list and request that the staff prepare and submit a written summary of facts.*

*Clearance only occurs if the offenses are reported or disclosed at the appropriate time.*