

# MINUTES

## PROFESSIONAL STANDARDS COMMISSION

Two Peachtree Street

Atlanta, Georgia

September 10, 2009

The Georgia Professional Standards Commission (PSC) met on Thursday, September 10, 2009, at 9 a.m.

### Members Present

Julia Bernath  
Sallie Bullock  
Stephen Dartt  
Joy Hawkins

Dr. Louisa Moffitt  
Dr. Mary Outlaw  
Rose Powell  
Dr. Craig Smith

Dr. Ed Smith  
Jeannie Tucker  
Dr. Hester Vasconcelos  
Dr. Debbie Wilkes

### Members Absent

Emily Jennette  
Penny Benton

Stephanie Haynes  
Al George

### I. CALL TO ORDER

Chair Wilkes 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. ADOPTION OF AGENDA

Chair Wilkes called for approval of the agenda.

**MOTION:** (Dr. Craig Smith /Maria Bradley) To approve the agenda.

**PSC ACTION:** Approved

### III. APPROVAL OF MINUTES

Chair Wilkes called for approval of the minutes from the July 9, 2009, 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
- Kristina Torres, AJC
- Heather Bolinger, Gwinnett County Public Schools
- Tracy Robertson, Gwinnett County Schools
- John Hooper, Georgia School Superintendents Association
- Bill Ware, Georgia Association of Colleges for Teacher Education
- Linda Calhoun, Gwinnett County Schools
- Priscilla Adams, Educator
- George Lawson, Jr., Attorney

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## **V. EMPLOYEE SERVICE AWARDS**

Chair Wilkes introduced and congratulated the employees listed below and gave them their Service awards. Kelly Henson read the following:

### **Trey Brown – 5 Years**

Trey works in our Information Technology division. In June 2004, Trey was hired as a temp to modify our website so that educators could make online credit card payments for certification fees. This went very well, and Trey was brought on board full time as the Commission's webmaster – the position he holds today. Since then, he has been the lead developer on most of the Commission's websites. Trey is very creative and is always looking for new innovative ways to improve and enhance the Commission's websites and online features. He developed and application to encrypt passwords, which was critical to the agency's security strategy. He has also developed web services which allow our business partners to seamlessly interface with our websites. He also created the PSC Document Library download. His current projects include the TeachGeorgia website and the developing the new GaPSC website.

### **Kevin Bradley – 5 Years**

Kevin was hired at the PSC on July 1, 2004, as an imaging forms processor (scanner). Kevin was consistently one of the top scanners and with a high degree of accuracy. Kevin's willingness to assist with other duties and his desire to become more familiar with other areas of certification led to his sitting with information specialists...first listening to them answer callers' questions and then answering some of the calls himself. He continued with his scanning responsibilities while doing this. Kevin's increasing skills on the phone and knowledge of certification rules resulted in his being promoted to a full-time Information Specialist on April 1, 2009. Kevin's customer service skills are excellent and he does whatever it takes to ensure that each caller's needs are met.

### **Valerie Jenkins – 15 Years**

Valerie began her career at the PSC in June of 1994 as a secretary for Dr. Peggy Torrey who was Director of Assessment and Testing. In 1998, she transferred to the Technology Department, working with Dr. Tom Hall, for approximately two years. She applied for and was hired as a scanner in Certification in 2000, a position she held for two years. Valerie became an Information Specialist in 2002 and was promoted to an Evaluator in 2004. Valerie's experience starting as a scanner and progressing to become an evaluator have given her a unique ability to understand the entire certification process. She is a team member who can be counted on to provide whatever assistance is needed. She is diligent in processing cases and serving as Tier 3 to provide additional support to the information specialists.

## **VI. RECOGNITION OF ATALANT TESTING DIRECTORS**

Chair Wilkes thanked the Atlanta Area Testing Directors for their work in revising the Code of Ethics. Tracy Robertson, Heather Bolinger and Linda Calhoun spoke to the commissioners briefly about their work and they thanked the commission for the opportunity to work on the Code of Ethics.

Kelly Henson also thanked them for their work and said the following:

The revised Educator Code of Ethics for Georgia passed by the Professional Standards Commission at its May 2009 meeting added "Testing" as a new standard. The Standard reads as follows:

Standard 11: Testing - An educator shall administer state-mandated assessments fairly and ethically.

Unethical conduct includes but is not limited to:

1. committing any act that breaches Test Security; and
2. compromising the integrity of the assessment.

While the Standard is brief, the guidelines and reporting procedures for the standard are very specific, thanks to AATD! The Atlanta Area Testing Directors group developed a proposal concerning the Ethics Standard that provides specific directions for teachers and administrators on testing procedures and violations. The Professional Standards Commission reviewed the AATD proposal and enthusiastically supported adoption of the document, including the recommendation for PSC sanctions of testing violations. The PSC has added a stipulation that superintendents and principals, if deemed appropriate by the Commission, will be subject to sanctions if violations occur under their watch.

The reporting procedures were reviewed throughout the state in RESA District meetings. The chart has been well-received by the audiences. Audience members were asked to make any recommendations of changes, deletions, or additions to the documents. The most often heard response is to make the procedures applicable to all tests.

Some interesting discussions arose at the meetings. At the Master Teacher Conference, one or two teachers expressed surprise that teachers could not confer with students about specific test questions in order to improve their instruction. We also heard this comment from some system administrators. They were reminded that curriculum and concepts can be discussed, but not specific test questions. Some administrators also realized that they did not know the testing rules and procedures well enough and will have a renewed interest in test training and procedures. It was emphasized at each meeting that the PSC does not want to play "Gotcha," but is concerned all personnel should be made aware of correct procedures and rules to avoid violations. If educators follow the rules, then everyone including students should have a satisfactory testing experience. If a student is harmed, it becomes an ethic's issue.

The PSC Commission adopted the Testing Procedures at the July, 2009 meeting and the AATD recommended procedures became the guideline for school personnel to follow in implementing the testing process. We want to publicly thank the members of AATD for their work in improving the Professional Standards Commission's work in the area of preventing and processing complaints related to testing issues.

## **VII. COMMITTEE REPORTS**

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

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

1. Mr. Dartt reported that the Committee reviewed 61 *Probable Cause* cases during its September 9, 2009, meeting and brought the following recommendations on behalf of the Committee:

#	CASE #	Applicant	STANDARDS VIOLATED	RECOMMENDATION
1	08-9-308	Property Rights	Criminal Acts Abuse of Students Professional Conduct	Suspension – 1 Year
2	09-6-1309	Property Rights	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	Reprimand
3	09-6-1312	Property Rights	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	Reprimand
4	09-6-1347	Property Rights	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct Action Taken in Another State	Suspension – 3 Years
5	09-6-1371	APPLICANT	Criminal Acts Professional Conduct	Denial
6	08-12-670	Property Rights	Criminal Acts Abuse of Students Professional Conduct	Revocation
7	08-12-693	Property Rights	Abuse of Students Professional Conduct	Revocation
8	09-2-857	Property Rights	Abuse of Students Professional Conduct	Suspension – 90 Contract Days
9	09-2-899	Property Rights	Abuse of Students Professional Conduct	Suspension – 3 Contract Days
10	09-2-903	Property Rights	Professional Conduct	Suspension – 20 Contract Days
11	09-2-923	Property Rights	Abuse of Students Professional Conduct Other Good and Sufficient Cause	Revocation
12	09-3-963	Property Rights	Misrepresentation or Falsification Abandonment of Contract Professional Conduct	Suspension – 90 Contract Days
13	09-3-1013	Property Rights	Criminal Acts Abuse of Students Professional Conduct	Revocation
14	09-3-1014	Property Rights	Public Funds and Property Professional Conduct	Suspension – 90 Contract Days
15	09-3-1015	Property Rights	Public Funds and Property Professional Conduct	Suspension – 1 Year
16	09-4-1059	Property Rights	Abuse of Students Professional Conduct	Reprimand
17	09-4-1063	Property Rights	Criminal Acts Failure to Make a Required Report Professional Conduct	No Probable Cause
18	09-4-1090	Property Rights	Misrepresentation or Falsification Professional Conduct	Suspension – 20 Contract Days
19	09-4-1096	Property Rights	Failure to Make a Required Report Professional Conduct Action Taken in Another State	Revocation
20	09-4-1102	Property Rights	Misrepresentation or Falsification Confidential Information Professional Conduct	Suspension – 20 Contract Days

#	CASE #	Applicant	STANDARDS VIOLATED	RECOMMENDATION
21	09-4-1131	Property Rights	Confidential Information Professional Conduct	Suspension – 20 Contract Days
22	09-4-1132	Property Rights	Confidential Information Professional Conduct	Suspension – 20 Contract Days
23	09-4-1133	Property Rights	Confidential Information Professional Conduct	No Probable Cause
24	09-4-1134	Property Rights	Criminal Acts Professional Conduct	Suspension – 90 Contract Days
25	09-4-1159	Property Rights	Misrepresentation or Falsification Professional Conduct	Suspension – 1 Year
26	09-4-1162	Property Rights	Misrepresentation or Falsification Public Funds and Property Professional Conduct	Suspension – 20 Contract Days
27	09-4-1170	Property Rights	Abuse of Students Professional Conduct	Suspension – 20 Contract Days
28	09-4-1171	Property Rights	Public Funds and Property Professional Conduct	Suspension – 2 Years
29	09-5-1196	Property Rights	Confidential Information Professional Conduct	Suspension – 90 Contract Days
30	09-5-1200	Property Rights	Alcohol or Drugs Professional Conduct	Suspension – 90 Contract Days
31	09-5-1202	Property Rights	Public Funds and Property Professional Conduct	Suspension – 90 Contract Days
32	09-5-1204	Property Rights	Abuse of Students Professional Conduct	Suspension – 90 Contract Days
33	09-5-1210	Property Rights	Confidential Information Professional Conduct	Suspension – 20 Contract Days
34	09-5-1216	Property Rights	Abuse of Students Professional Conduct	Suspension – 90 Contract Days
35	09-5-1219	Property Rights	Confidential Information Professional Conduct	Suspension – 90 Contract Days
36	09-5-1247	Property Rights	Misrepresentation or Falsification Confidential Information Professional Conduct Other Good and Sufficient Cause	Suspension – 90 Contract Days
37	09-5-1257	Property Rights	Public Funds and Property Professional Conduct	Suspension – 90 Contract Days
38	09-5-1258	Property Rights	Professional Conduct Other Good and Sufficient Cause	Suspension – 5 Contract Days
39	09-5-1273	Property Rights	Confidential Information Professional Conduct	Suspension – 90 Contract Days
40	09-5-1275	Property Rights	Abuse of Students Professional Conduct	Suspension – 20 Contract Days
41	09-5-1276	Property Rights	Confidential Information Professional Conduct	Suspension – 20 Contract Days
42	09-5-1278	Property Rights	Criminal Acts Alcohol or Drugs Professional Conduct	Suspension – 1 Year
43	09-5-1285	Property Rights	Misrepresentation or Falsification Confidential Information Professional Conduct	Suspension – 90 Contract Days
44	09-6-1307	Property Rights	Criminal Acts Professional Conduct	Reprimand

#	CASE #	Applicant	STANDARDS VIOLATED	RECOMMENDATION
45	09-6-1308	Property Rights	Criminal Acts Misrepresentation or Falsification Professional Conduct	No Probable Cause
46	09-6-1311	Property Rights	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	No Probable Cause
47	09-6-1317	Property Rights	Misrepresentation or Falsification Professional Conduct Other Good and Sufficient Cause	Suspension – 1 Year
48	09-6-1318	Property Rights	Misrepresentation or Falsification Improper Remunerative Conduct Professional Conduct Other Good and Sufficient Cause	Suspension – 1 Year
49	09-6-1319	Property Rights	Misrepresentation or Falsification Confidential Information Professional Conduct	Suspension – 1 Year
50	09-6-1320	Property Rights	Public Funds and Property Professional Conduct	Suspension – 1 Year
51	09-6-1339	Property Rights	Professional Conduct	Suspension – 5 Contract Days
52	09-6-1358	Property Rights	Abuse of Students Professional Conduct Other Good and Sufficient Cause	Suspension – 20 Contract Days
53	09-6-1359	Property Rights	Abuse of Students Misrepresentation or Falsification Professional Conduct Other Good and Sufficient Cause	Revocation
54	09-6-1362	Property Rights	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct Other Good and Sufficient Cause	Revocation
55	09-6-1363	Property Rights	Misrepresentation or Falsification Professional Conduct	No Probable Cause
56	09-6-1364	Property Rights	Misrepresentation or Falsification Professional Conduct	No Probable Cause
57	09-6-1365	Property Rights	Misrepresentation or Falsification Professional Conduct	No Probable Cause
58	09-6-1366	Property Rights	Misrepresentation or Falsification Professional Conduct	No Probable Cause
59	09-6-1393	Property Rights	Misrepresentation or Falsification Confidential Information Professional Conduct DOE Rule 160-3-1-.07 DOE Rule 160-3-1-.07(4)(g)	Suspension – 1 Year
60	09-6-1394	Property Rights	Misrepresentation or Falsification Confidential Information Professional Conduct DOE Rule 160-3-1-.07 DOE Rule 160-3-1-.07(4)(g)	Suspension – 2 Years
61	09-6-1406	Property Rights	Abuse of Students Professional Conduct	Suspension – 45 Contract Days

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The commissioners instructed staff to open an official investigation on the Administrator involved with cases 09-6-1363 through 09-6-1366

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

CASE #	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	ADMINISTRATIVE LAW JUDGE SANCTION	RECOMMENDATION
07-7-69	Criminal Acts Abuse of Students Professional Conduct	Revocation	Suspension - 1 Year (Retroactive - 3/26/08 - 3/26/09) Monitoring - 2 Years	REVIEW
07-12-527	Action Taken In Another State	Denial	Denial Request for Hearing Withdrawn	Accept

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

CASE NUMBER	REQUEST	PREVIOUS SANCTION	PREVIOUS VIOLATION	RECOMMENDATION
09-2-894	Rule Waiver	Reprimand – 7/18/2009	Criminal Acts Misrepresentation or Falsification	DENY
09-6-1316	Right to Reapply	Revocation – 7/11/2002	Criminal Acts Professional Conduct	DENY
09-6-1336	Right to Reapply	Denial – 6/10/2005	Misrepresentation or Falsification Professional Conduct	DENY
09-6-1356	Right to Reapply	Revocation – 7/27/2006	Criminal Acts Failure to Make a Required Report Misrepresentation or Falsification	DENY
09-6-1389	Right to Reapply	Revocation – 3/19/2004	Criminal Acts Alcohol or Drugs Professional Conduct	DENY
09-7-86	Right to Reapply	Revocation – 12/17/2004	Abuse of Students Public Funds and Property Professional Conduct	DENY
09-7-96	Right to Reapply	Revocation – 9/13/2002	Abuse of Students Professional Conduct	DENY
09-7-107	Right to Reapply	Denial – 10/17/2003	Criminal Acts Professional Conduct	GRANT
09-7-108	Right to Reapply	Revocation – 6/13/2002	Criminal Acts Misrepresentation or Falsification	DENY
09-7-119	Right to Reapply	Revocation – 8/6/2006	Abuse of Students Professional Conduct	DENY

4. Mr. Dartt reported that the Educator Ethics Review Committee reviewed 17 *Settlement Agreements* and brought the following recommendations on behalf of the Committee:

#	CASE #	SANCTION	RECOMMEN- DATION.
1	08-6-1550	Suspension - 20 Contract Days (9/08/09 - 10/05/09)	Accept
2	08-11-600	Suspension - 90 Contract Days (8/3/09 - 12/10/09)	Accept
3	09-1-790	Suspension - 10 Contract Days (8/3/09 - 8/14/09)	Accept
4	09-1-808	Suspension - 20 Contract Days (8/31/09 - 9/28/09)	Accept
5	09-2-863	Suspension - 3 Contract Days (1/27/09 - 1/29/09)	Accept
6	09-2-869	Suspension - 20 Contract Days (8/31/09 - 9/29/09)	Accept
7	09-2-911	Suspension - 3 Contract Days (2/10/09 - 2/12/09)	Accept
8	09-3-941	Suspension - 60 Contract Days (8/31/09 - 12/3/09)	Accept
9	09-3-955	Suspension - 10 Contract Days (8/31/09 - 9/14/09)	Accept
10	09-3-978	Revocation	Accept
11	09-4-1092	Reprimand	Accept
12	09-4-1095	Reprimand	Accept
13	09-4-1100	Suspension - 90 Contract Days (8/31/09 - 2/1/10)	Accept
14	09-5-1233	Reprimand	Accept
15	09-5-1234	Reprimand	Accept
16	09-6-1291	Reprimand	Accept
17	09-6-1306	Suspension - 5 Contract Days (8/31/09 - 9/4/09)	Accept

5. Mr. Dartt reported that the Educator Ethics Review Committee reviewed 31 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee:

CASE #	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION	RECOMMEND- ATION
05-9-335	Criminal Acts Abuse of Students Misrepresentation or Falsification Professional Conduct	Revocation	Revocation	Accept



CASE #	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION	RECOMMENDATION
06-5-1298	Professional Conduct	Suspension - 1 year	No Probable Cause	Accept
06-6-1342	Abuse of Students Alcohol or Drugs Public Funds and Property Professional Conduct	Revocation	Suspension - 3 Years <i>(Retroactive)</i> <i>Sept. 1, 2006 - Sept. 1, 2009</i>	REJECT
06-8-146	Abuse of Students Improper Remunerative Conduct Professional Conduct	Revocation	Revocation	Accept
07-1-842	Abuse of Students Professional Conduct	Revocation	Suspension - 3 Years <i>(Part Retroactive)</i> <i>Dec. 15, 2006 - Dec. 15, 2009</i>	Accept
07-2-911	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	Revocation	Suspension - 1 Year <i>Sept. 28, 2009 - Sept. 28, 2010</i>	Accept
07-3-1108	Criminal Acts Abuse of Students Professional Conduct	Revocation	Suspension - 1 Year <i>(Retroactive)</i> <i>Aug. 14, 2007 - Aug. 14, 2008</i>	REJECT
07-5-1267	Confidential Information Professional Conduct	Suspension - 20 Contract Days	Suspension - 5 Contract Days <i>Sept. 28, 2009 - Oct. 2, 2009</i>	Accept
07-5-1308	Professional Conduct	Reprimand	Warning	Accept
07-6-1507	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	Revocation	No Probable Cause / No Jurisdiction	Accept
07-10-332	Abandonment of Contract Professional Conduct	Suspension - 90 Contract Days	Suspension - 90 Contract Days <i>Sept. 28, 2009 - Feb. 22, 2010</i>	Accept
08-1-669	Abuse of Students Professional Conduct	Revocation	Revocation	Accept
08-1-693	Criminal Acts Misrepresentation or Falsification	Reprimand	Warning	Accept
08-3-873	Criminal Acts Misrepresentation or Falsification	Reprimand	Warning	Accept
08-3-994	Criminal Acts Misrepresentation or Falsification	Reprimand	No Probable Cause	Accept
08-4-1102	Confidential Information Professional Conduct	Suspension - 20 Contract Days	Reprimand	Accept
08-4-1133	Criminal Acts	Reprimand	Warning	Accept
08-5-1230	Misrepresentation or Falsification Confidential Information Professional Conduct	Suspension - 90 Contract Days	Suspension - 90 Contract Days <i>(Part Retroactive)</i> <i>July 31, 2009 - Dec. 11, 2009</i>	Accept
08-5-1368	Misrepresentation or Falsification Confidential Information Professional Conduct	Suspension - 20 Contract Days	Reprimand	REJECT
08-6-1560	Misrepresentation or Falsification	Suspension - 20 Contract	Suspension - 5 Contract Days	REJECT

CASE #	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION	RECOMMENDATION
	Professional Conduct	Days	<i>Sept. 28, 2009 - Oct. 1, 2009</i>	
08-7-29	Confidential Information	Suspension -5 Contract Days	Reprimand	REJECT
08-8-239	Misrepresentation or Falsification	Suspension - 20 Contract Days	Suspension - 10 Contract Days <i>(Retroactive)</i> <i>July 29, 2009 - Aug. 11, 2009</i>	REJECT
08-9-304	Criminal Acts Abuse of Students Professional Conduct	Suspension - 2 Years	Suspension - 1 Year <i>Sept. 28, 2009 - Sept. 28, 2010</i>	REJECT
08-10-454	Alcohol or Drugs Professional Conduct	Suspension - 1 Year	Suspension - 1 Year <i>(Retroactive)</i> <i>Sept. 8, 2008 - Sept. 8, 2009</i>	Accept
08-11-548	Criminal Acts Misrepresentation or Falsification	Reprimand	Warning	REJECT
09-1-746	Criminal Acts Abuse of Students Professional Conduct	Revocation	Reprimand	REJECT
09-1-747	Alcohol or Drugs	Suspension - 20 Contract Days	Reprimand	Accept
09-1-761	Misrepresentation or Falsification Professional Conduct	Reprimand	Warning	REJECT
09-1-833	Criminal Acts Professional Conduct	Denial	Reprimand	REJECT
09-2-850	Failure to Make a Required Report Professional Conduct	Suspension - 20 Contract Days	Reprimand	Accept
09-3-980	Abuse of Students Misrepresentation or Falsification Professional Conduct	Suspension - 90 Contract Days	No Probable Cause	REJECT

**6. OTHER BUSINESS**

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

CASE #	STANDARDS VIOLATED AT PROBABLE CAUSE	PROBABLE CAUSE SANCTION	A.G. REQUEST	RECOMMENDATION
07-12-518	Criminal Acts Failure to Make a Required Report Professional Conduct Action Taken in Another State	Revocation	Request to add Standard 4, Misrepresentation or Falsification prior to submitting to OSAH	Approve

7. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 149 new complaints received during the months of June, July and August 2009.

**8. EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS**

The Educator Ethics Review Committee recommended approval of the 124 *Extensions – Preliminary Investigative Determinations* consisting of the following:

#	CASE #	Complaint	#	CASE #	Complaint	#	CASE #	Complaint
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		Received			Received			Received
1	09-7-1	6/23/2009	16	09-7-16	6/24/2009	31	09-7-31	6/24/2009
2	09-7-2	6/18/2009	17	09-7-17	6/24/2009	32	09-7-32	6/24/2009
3	09-7-3	6/19/2009	18	09-7-18	6/24/2009	33	09-7-33	6/24/2009
4	09-7-4	6/19/2009	19	09-7-19	6/24/2009	34	09-7-34	6/24/2009
5	09-7-5	6/24/2009	20	09-7-20	6/24/2009	35	09-7-35	6/24/2009
6	09-7-6	6/19/2009	21	09-7-21	6/24/2009	36	09-7-36	6/24/2009
7	09-7-7	6/19/2009	22	09-7-22	6/24/2009	37	09-7-37	6/24/2009
8	09-7-8	6/19/2009	23	09-7-23	6/24/2009	38	09-7-38	6/24/2009
9	09-7-09	6/19/2009	24	09-7-24	6/24/2009	39	09-7-39	6/24/2009
10	09-7-10	6/19/2009	25	09-7-25	6/24/2009	40	09-7-40	6/24/2009
11	09-7-11	6/19/2009	26	09-7-26	6/24/2009	41	09-7-41	6/25/2009
12	09-7-12	6/23/2009	27	09-7-27	6/24/2009	42	09-7-42	6/26/2009
13	09-7-13	6/23/2009	28	09-7-28	6/24/2009	43	09-7-43	6/26/2009
14	09-7-14	6/23/2009	29	09-7-29	6/24/2009	44	09-7-44	6/26/2009
15	09-7-15	6/24/2009	30	09-7-30	6/24/2009	45	09-7-45	6/26/2009

#	CASE #	Complaint Received	#	CASE #	Complaint Received	#	CASE #	Complaint Received
46	09-7-46	6/26/2009	73	09-7-99	7/10/2009	100	09-8-187	7/29/2009
47	09-7-47	6/26/2009	74	09-7-100	7/10/2009	101	09-8-188	7/29/2009
48	09-7-48	6/26/2009	75	09-7-101	7/13/2009	102	09-8-189	7/30/2009
49	09-7-49	6/26/2009	76	09-7-102	7/14/2009	103	09-8-190	7/30/2009
50	09-7-50	6/26/2009	77	09-7-103	7/14/2009	104	09-8-191	7/31/2009
51	09-7-51	6/26/2009	78	09-7-104	7/14/2009	105	09-8-192	8/3/2009
52	09-7-52	6/30/2009	79	09-7-105	7/15/2009	106	09-8-193	8/3/2009
53	09-7-53	6/30/2009	80	09-7-106	7/15/2009	107	09-8-194	8/3/2009
54	09-7-54	9/10/2009	81	09-7-107	7/16/2009	108	09-8-195	8/3/2009
55	09-7-55	6/30/2009	82	09-7-108	7/17/2009	109	09-8-196	8/3/2009
56	09-7-56	6/30/2009	83	09-7-109	7/20/2009	110	09-8-197	8/3/2009
57	09-7-57	6/30/2009	84	09-7-110	7/20/2009	111	09-8-198	8/4/2009
58	09-7-58	6/30/2009	85	09-7-111	7/20/2009	112	09-8-199	8/4/2009
59	09-7-59	7/2/2009	86	09-7-112	7/20/2009	113	09-8-200	8/4/2009
60	09-7-86	6/20/2009	87	09-7-113	7/20/2009	114	09-8-201	8/4/2009
61	09-7-87	7/2/2009	88	09-7-114	7/20/2009	115	09-8-202	8/10/2009
62	09-7-88	7/2/2009	89	09-7-115	7/20/2009	116	09-8-203	8/10/2009
63	09-7-89	7/6/2009	90	09-7-116	7/21/2009	117	09-8-204	8/10/2009
64	09-7-90	7/6/2009	91	09-7-117	7/22/2009	118	09-8-205	8/10/2009
65	09-7-91	7/7/2009	92	09-7-118	7/23/2009	119	098-206	8/11/2009
66	09-7-92	7/7/2008	93	09-7-119	7/24/2002	120	09-8-207	8/11/2009
67	09-7-93	7/8/2009	94	09-7-120	7/24/2009	121	09-8-208	8/11/2009
68	09-7-94	7/8/2009	95	09-7-121	7/24/2009	122	09-8-209	8/11/2009
69	09-7-95	7/8/2009	96	09-7-122	7/24/2009	123	09-8-210	8/11/2009
70	09-7-96	7/9/2009	97	09-7-123	7/27/2009	124	09-8-211	8/11/2009
71	09-7-97	7/10/2009	98	09-7-124	7/28/2009			
72	09-7-98	7/10/2009	99	09-7-125	7/27/2009			

**9. EXTENSIONS - INVESTIGATIONS**

The Educator Ethics Review Committee recommended granting an *Investigative Extension* to the 57 Written Complaints and 5 Application cases:

**WRITTEN COMPLAINT EXTENSIONS:**

09-4-1101	09-5-1283	09-5-1277	09-6-1338	09-3-992	09-4-1163	09-5-1209	09-5-1280	09-6-1360	09-4-1145	09-5-1245	09-6-1395
09-4-1137	09-6-1382	09-5-1284	08-12-671	09-3-1022	09-4-1165	09-5-1248	09-6-1321	09-6-1368	09-4-1149	09-6-1335	09-6-1396
09-5-1197	09-6-1402	09-6-1313	09-1-733	09-4-1055	09-4-1175	09-5-1250	09-6-1325	09-6-1384	09-4-1167	09-6-1403	
09-5-1198	09-4-1064	09-6-1315	09-3-958	09-4-1135	09-5-1207	09-5-1253	09-6-1334	09-6-1401	09-5-1201	09-5-1195	
09-5-1237	09-5-1243	09-6-1333	09-3-962	09-4-1144	09-5-1208	09-5-1274	09-6-1357	09-4-1142	09-5-1206	09-5-1282	

**APPLICATION CASE EXTENSIONS:**

09-3-968	09-6-1376
09-5-1226	09-6-1379
09-5-1272	09-4-1103

**10. APPLICATIONS FOR CERTIFICATION REPORT**

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 39 cases reflected on the *Applications for Certification Report*.

**11. REVIEW HEARING EXTENSIONS**

The Commission reviewed the *Review Hearing Extensions Report* concerning 1 hearing case. An Administrative Law Judge rendered Initial Decisions on the 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 13 certificates *suspended* July 9, 2009 through September 10, 2009. There were 9 certificates that had been *reinstated* because restitution is now being made on those student loans. There were 13 issues where notification had been received to suspend but releases were received prior to the actual suspension being implemented. Restitution is now being made on those student loans.

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

The Commission reviewed the report, which advised of 21 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.

**14. VOLUNTARY SURRENDERS / VOLUNTARY DENIALS**

#	Case Number	STANDARDS VIOLATED	SANCTION	EERC Recomm.
1	09-5-1252	Alcohol or Drugs Professional Conduct	Revocation	Accept
2	09-6-1327	Public Funds and Property Professional Conduct	Revocation	Accept
3	09-7-85	Abuse of Students Alcohol or Drugs Professional Conduct	Revocation	Accept

Chair Wilkes called for approval of the Educator Ethics Review Committee report as present by Chair Dartt excluding Negotiated Settlement Case # 07-3-1108.

**PSC ACTION:** Approved

Abstention:

Julia Bernath-Preliminary Investigation Case #'s 09-7-95, 09-7-58, 09-7-94,

Jeanne Tucker – Initial Decision Case # 07-7-69

**Negotiated Settlement Case # 07-3-1108**

Chair Wilkes called for approval of the Negotiated Settlement Case # 07-3-1108 as presented.

**PSC ACTION:** Approved

**B. Educator Preparation Standing Committee**

Committee Chair, Dr. Craig Smith, presented the following report of the Educator Preparation Standing Committee.

Agency/Institution	Approval Recommendation
<b>Archdiocese of Atlanta</b>	Developmental Approval is recommended for the One-Year Supervised Practicum program.
<b>Agnes Scott College</b>	The Committee recommends that progress is satisfactory in addressing preparations for the spring 2010 PSC Continuing Review.
<b>Central Savannah River Area RESA</b>	The Committee recommends that progress is satisfactory in addressing the Standard 1 areas for improvement cited for the Gifted Endorsement Program; the areas for improvement may be removed.
<b>Georgia Southwestern State University</b>	The Committee recommends that progress is satisfactory in addressing the Standard 1 areas for improvement; the areas for improvement remain. The Committee recommends that progress is satisfactory in addressing the Standard 2 area for improvement; the area for improvement remains. A progress report is due November 16, 2009, to address the Standard 1 areas for improvement and the remaining area for improvement on Standard 2. The report shall include data from the Live Text system (specifically what has been collected and how it will be used); a list of faculty including their teaching assignments, other involvements, workload, teaching load

Agency/Institution	Approval Recommendation
	<p>and advisement load; and a copy of the Faculty Load Policy.</p> <p>The Committee recommends that progress is satisfactory in addressing the Standard 8 area for improvement; the area for improvement may be removed.</p>
<b>Kennesaw State University</b>	Developmental Approval is recommended for two Performance-based Educational Leadership programs: the initial certification-only program at the Master's level (NL5) and the initial, Specialist Degree program (PL6)).
<b>Mercer University</b>	Developmental Approval is recommended for the Performance-based Educational Leadership initial certification-only program at the Doctoral level (PL7).
<b>Metro RESA</b>	Developmental Approval is recommended for the Teacher Leader Endorsement Program and a Progress Report addressing areas for improvement cited for Standard 2 and Standard 6 is due September 1, 2010.
<b>North Georgia College and State University</b>	The Committee recommends that progress is satisfactory in addressing the Standard 1 and Standard 2 areas for improvement cited for the Gifted Endorsement Program and the areas for improvement may be removed.
<b>Oconee RESA</b>	<p>Continuing Approval with Conditions is recommended for the professional education unit and the GaTAPP program.</p> <p>A Progress Report is due December 31, 2009, addressing Standard 2, Standard 4 and the areas for improvement cited in the BOE Report from the May 2009 Continuing Approval Review. The report shall include a specific description of the new assessment system and the data that are being collected. A second Progress Report is due June 30, 2010, describing how the assessment system is being used. The report shall include data collected via the assessment system and evidence that the data have been analyzed and used for the improvement of the professional education unit and the GaTAPP program.</p>
<b>Thomas University</b>	<p>Continuing Approval with Probation is recommended for the professional education unit and the educator preparation programs.</p> <p>An on-site Probationary Review of the professional education unit and all educator preparation programs will be conducted in the fall 2011 semester. In addition, Progress Reports are due March 10, 2010, September 10, 2010, and February 11, 2011, addressing the Not Met Standards and the areas for improvement cited as a result of the spring 2009 on-site review. The report shall also address the preparations for the on-site probationary review.</p>
<b>University of Georgia</b>	Developmental Approval is recommended for Performance-based Educational Leadership Doctoral degree program (PL7).

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Agency/Institution	Approval Recommendation
Wesleyan College	The committee recommends that progress is satisfactory in addressing areas for improvement cited for Standards 1, 4, 6 and 7. The areas for improvement may be removed.

Chair Wilkes called for approval of the Educator Preparation report as present by Dr. Craig Smith.

**PSC ACTION:** Approved

### **VIII. EXECUTIVE SECRETARY REPORT**

The Executive Secretary presented the following:

**A.** Rick Eiserman introduced the Certification and Educator Ethics rules for adoption.

**MOTION:** (Dr. Craig Smith / Powell) To amend the current rules in Chapter 505-2 Certification, effective October 15, 2009, as follows: 505-2-.15.

**ACTION:** Approved

**MOTION:** (Powell / Vasconcelos) To amend the new rules in Chapter 505-2 Educator Ethics, effective October 15, 2009, as follows: 505-6-.01.

**ACTION:** Approved

**B.** Kelly Henson spoke to the commission about Race To The Top. The Bill and Melinda Gates Foundation identified Georgia as one of fifteen states that they would like to partner with to write the proposal. Georgia will be partnering with the Parthenon Group as our consultants and the Gates Foundation will pay the consulting fees.

**MOTION:** (Vasconcelos / Bernath) For the PSC to support Governor Perdue and his efforts to secure the Race To The Top funding.

**ACTION:** Approved

**C.** Dr. Gary Walker, Director of Educator Ethics, spoke about Abandonment of Contract-Guidelines for Clearance. The commissioners were given two documents entitled "Guidelines for Clearance Proposed for September 10, 2009".

**MOTION:** (Vasconcelos / Powell) For the PSC to adopt the proposed Guidelines for Clearance.

**ACTION:** Approved

**D.** Warnings and Reprimands – Kelly Henson informed the commissioners that he would be discussing with them the possibilities of a proposal that would permit the removal of warnings after 5 years and reprimands after 10 years if the educator had no additional sanctions.

### **IX. REVIEW HEARINGS**

- |                    |                               |
|--------------------|-------------------------------|
| 1. Priscilla Adams | - Educator (Case # 08-6-1403) |
| Wayne Magnum       | - Hearing Officer             |
| Ann Brumbaugh      | - PSC Attorney                |

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George Lawson, Jr.

- Attorney

**MOTION:** (Bradley / Hawkins) To go into Executive Session and allow PSC staff and attorney (Gary Walker, Tanis Miller, Rebecca Mick and Lisa Hartzler) to remain.

**ACTION:** Approved

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

**ACTION:** Approved

**MOTION:** (Dr. Craig Smith / Dartt) To adopt the Findings of Fact and Conclusions of Law reached by the Administrative Law Judge. The Commission rejects the sanction recommended by the Administrative Law Judge. After reviewing the record of the hearing in this matter, the Commission concludes that the particular facts and circumstances as supported by the evidence in the record warrant a sanction greater than the Commission's original probable cause determination. For these reasons, the Commission hereby ordered that the certificate held by Priscilla Adams be ***Revoked*** effective September 10, 2009.

**PSC ACTION:** Approved

## **X. CHAIR'S REPORT**

Chair Wilkes presented the following announced that the next meeting will be held on Thursday, October 8<sup>th</sup> at 9 a.m. at Two Peachtree Street in the PSC 5<sup>th</sup> floor boardroom in Atlanta, Georgia.

## **XI. ADJOURNMENT**

Chair Wilkes called for the meeting to be adjourned at 11:30 a.m.

**PSC ACTION:** Approved