

MINUTES

PROFESSIONAL STANDARDS COMMISSION

Two Piedmont Avenue

Atlanta, Georgia

April 11, 2013

The Georgia Professional Standards Commission (PSC) met on Thursday, April 11, 2013, at 12:30 p.m.

Members Present

Julia Bernath

Alice Clements

Dr. Adrian Epps

Phil Jacobs

David Johnson

Kamila Luigs

Christy McGill

Sheryl Stalvey

Bettina Polite Tate

Dr. Lawrence Walters

Pam Walker

Pam Williams

Valerie Williams

Members Absent

Bill Haskin

Heath Garrett

Dr. Penny Elkins

Scott Justus

Stephanie Leggett

I. WORK SESSION

Kelly spoke briefly about the transition plan for reporting unsatisfactory performance to the PSC. The passage of House Bill 244 alters the evaluation of educators in Georgia. The changes, which do not take effect until the school year 2013 -2015 create two evaluation schemes: 1) For teachers of record, principals, and assistant principals, the evaluation system will yield four explicit ratings (exemplary, proficient, needs development and ineffective). The last two must be reported to PSC once the system is in place statewide. 2) For all other certificated personnel, the evaluation system will continue to yield an explicit rating of unsatisfactory and at least one other rating positive rating. The unsatisfactory rating is to be reported to PSC. A hand-out was provided to Commissioners which addressed what districts should do now and in school year 2013-2014 and what happens in school year 2-14-2015.

Kelly Henson and Kristina Stroede provided an update on the following bills: HBs 105, 106, 123, 173, 211, 244, 245, 283, 327, and 354, as well as SBs 101, 160, and 167.

Kelly Henson provided an update on CAEP/Proposed Standards. A hand-out was proved to Commissioners with the four leverage points, important Georgia connections, annual reporting and timeline. The Commissioners were also given a DRAFT-Recommendation for the CAEP Board and a letter from Angela Coleman , Board of Regents, University System of Georgia providing the National Council for Accreditation of Teacher Education with the Board of Regents comments on the recommendations. Dr. Adrian Epps also commented on some of the issues that Angela Coleman addressed in her letter.

Julia Bernath thanked the Commission for allowing her to Chair the meeting and congratulated Phil Jacobs on the birth of his new granddaughter, Margaret.

II. CALL TO ORDER

Vice Chair Bernath called the meeting to order at 12:30 p.m. and led the Pledge of Allegiance to the U.S. flag and a

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moment of silence.

III. ADOPTION OF AGENDA

Vice Chair Bernath called for approval of the agenda.

MOTION: (Dr. Adrian Epps / Pam Walker) To approve the agenda.

PSC ACTION: Approved

IV. APPROVAL OF MINUTES

Vice Chair Bernath called for approval of the minutes from the March 13, 2013, Commission meeting.

PSC ACTION: Approved

V. VISITORS

Vice Chair Bernath welcomed the visitors.

- Margaret Elliott, Professional Association of Georgia Educators
- Stan Baker, Jordan Law Firm
- Linda Fortson, Warren Fortson Law Office
- Tayia Donald, Georgia Association of Educators (GAE)

VI. EMPLOYEE SERVICE AWARDS

Julia Bernath presented David Pumphrey with a 5 Year Service Award and Kelly read the following:

When David joined the PSC's Ethics Division he brought with him a wealth of experience and training. David's background in law enforcement includes positions at both the local and federal levels.

David Pumphrey has been employed by the PSC twice. We are now celebrating his combined employment that equals five years!

David was with us from December 1, 2004 until September 16, 2006. David left the PSC to test his wings in the world of sales and marketing. Although he did well in sales, he realized that his true calling was conducting investigations. David left the PSC in good standing and with an excellent reputation. He applied for an open investigator position and was rehired on December 9, 2009. David picked up right where he left off. He has distinguished his self as a competent and thorough investigator. David has done a fine job since he has returned to the PSC and we look forward to long lasting working relationship between David and the PSC.

Congratulations David and thank you.

VII. COMMITTEE REPORTS

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

Vice Chair Bernath of the Educator Ethics Review Committee (EERC), gave a preliminary review of the Cases.

1. Ms. Walker reported that the Committee reviewed 38 **Probable Cause** cases during its April 11, 2013, meeting and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>STANDARDS VIOLATED</u>	<u>RECOMMENDATION</u>
12-10-475	1	1
12-11-512	1, 4, 9	1, 4, 9
13-1-664	10	10
11-2-734	1, 10	NPC
11-7-097	2, 4, 10	Revoke
11-9-391	4,7,9,10,DOE	Suspension 2 years
12-1-738	2, 10	Suspension 5 days
12-2-827	1,3,4,10	Suspension 1 year
12-2-856	2 & 10	Suspension 20 days
12-3-1044	2, 10	Revoke
12-3-1049	2 & 10	Suspension 1 year
12-4-1144	10 & 11	Suspension 2 years
12-4-1147	8, 10	Suspension 90 days
12-4-1151	3 & 10	Suspension 1 year
12-5-1183	1, 4, 9	Reprimand
12-5-1237	4,10	NPC
12-5-1278	1, 9, 10	Suspension 2 years
12-6-1289	2,10	Suspension 1 year
12-6-1295	10, 11	Suspension 2 years
12-6-1333	2, 10	Suspension 90 days
12-7-0011	1, 9, 10	Suspension 1 year
12-7-144	10	Revoke
12-8-266	10,11	NPC
12-9-382	3,10	Suspension 1 year
12-9-383	2 & 10	Suspension 5 days
12-10-429	3, 10	Suspension 1 year
12-10-433	3 & 10	Suspension 1 year
12-11-508	2,10	Reprimand
12-11-549	2 & 10	Suspension 1 year
12-12-566	5,10	Suspension 1 year
12-12-578	1, 9, 10	Revoke
12-12-627	1, 4, 9	Reprimand
12-12-631	3,10	Suspension 1 year
13-1-687	8,10	Suspension 90 days
13-1-705	4,5,10	Suspension 1 year
13-1-706	4,5,10	Suspension 1 year
13-1-707	4,5,10	Suspension 1 year

<u>CASE</u>	<u>STANDARDS VIOLATED</u>	<u>RECOMMENDATION</u>
13-1-708	4,5,10	Suspension 1 year

2. Ms. Walker reported that the Educator Ethics Review Committee reviewed 1 *Initial Decision* and brought the following recommendation on behalf of the Committee:

<u>CASE</u>	<u>Original Sanction</u>	<u>Proposed Sanction</u>	<u>Decision of the ALJ and the Rationale for the Decision</u>
12-2-915	Susp 2 years	Susp 2 years	Original Sanction (Suspension: May 6, 2013 thru May 6, 2015)

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

<u>CASE</u>	<u>PREVIOUS SANCTION</u>	<u>EERC RECOMMENDATIONS</u>
13-3-750	Denial 01/23/2009	Deny
13-2-768	Denial 05/05/2007	Deny
13-2-819	Revocation 12/19/2008	Deny

4. Ms. Walker reported that the Educator Ethics Review Committee reviewed 10 *Settlement Agreements* and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>SANCTION</u>	<u>EERC RECOMMENDATIONS</u>
11-7-87	Suspension - 90 days	Accept
12-1-725	Suspension - 1 year	Accept
12-7-65	Reprimand	Accept
12-9-376	Warning	Accept
12-10-393	Reprimand	Accept
12-10-451	Reprimand	Accept
12-10-468	Reprimand	Accept
12-11-491	Reprimand	Accept
12-11-498	Reprimand	Accept
12-11-559	Suspension - 90 days	Accept

5. Ms. Walker reported that the Educator Ethics Review Committee reviewed 14 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>NEGOTIATED SANCTION</u>	<u>EERC RECOMMENDATIONS</u>
11-1-702	Susp 1 year	Accept
11-3-876	Reprimand	Accept
11-5-1123	Warning	Accept
11-8-225	Susp 60 days	Accept
11-10-480	Susp 10 days	Accept
11-10-511	Susp 1 year	Accept
12-1-800	Reprimand	Accept
12-3-964	Susp 1 year	Accept
12-3-1060	Reprimand	Accept
12-5-1253	Susp 60 days	Accept
12-8-281	Reprimand	Accept
12-8-300	Susp 142 days	Accept
12-8-310	Reprimand	Accept
12-9-335	Susp 132 days	Accept

6. **OTHER BUSINESS**

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

<u>CASE</u>	<u>Findings of Fact from the Original Case</u>	<u>EERC RECOMMENDATION</u>
13-2-747	Expand current investigation	Expand investigation

7. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 78 new complaints received during the months of March and April 2013.

8. **VOLUNTARY SURRENDERS**

The Educator Ethics Review Committee recommended approval of the 4 Voluntary Surrenders listed below in which an Educator/Applicant voluntarily accepted a sanction of Revocation or Denial prior to the submission of an investigative case summary for a Probable Cause Determination.

<u>CASE</u>	<u>STANDARDS VIOLATED</u>	<u>SANCTION</u>
12-3-1019	2, 10	Voluntary Surrender
13-1-645	1, 2, 10	Voluntary Surrender
13-2-738	4, 5, 10	Voluntary Surrender
13-2-770	1, 2, 10	Voluntary Surrender

9. **EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS**

The Educator Ethics Review Committee recommended approval of the 50 Extensions - Preliminary Investigative Determinations consisting of the following:

13-3-905	13-3-912	13-3-920	13-4-927	13-4-934	13-4-941	13-4-952	13-4-962
13-3-906	13-3-913	13-3-921	13-4-928	13-4-935	13-4-942	13-4-953	
13-3-907	13-3-915	13-4-922	13-4-929	13-4-936	13-4-943	13-4-955	
13-3-908	13-3-916	13-4-923	13-4-930	13-4-937	13-4-944	13-4-956	
13-3-909	13-3-917	13-4-924	13-4-931	13-4-938	13-4-947	13-4-957	
13-3-910	13-3-918	13-4-925	13-4-932	13-4-939	13-4-948	13-4-958	
13-3-911	13-3-919	13-4-926	13-4-933	13-4-940	13-4-951	13-4-960	

10. EXTENSIONS - INVESTIGATIONS

The Educator Ethics Review Committee recommended granting and *Investigative Extension* to the following 248 cases:

WRITTEN COMPLAINT EXTENSIONS							
10-9-331	11-9-456	12-4-1133	12-7-72	12-8-260	12-10-477	12-11-552	12-12-617
10-12-553	11-9-457	12-4-1137	12-7-74	12-8-261	12-10-478	12-11-554	12-12-621
10-12-562	11-9-458	12-4-1140	12-7-75	12-8-263	12-10-480	12-11-555	12-12-622
11-6-1192	11-9-459	12-4-1141	12-7-76	12-8-264	12-10-482	12-11-556	12-12-623
11-6-1227	11-11-561	12-4-1150	12-7-77	12-8-267	12-11-487	12-11-557	12-12-626
11-8-119	11-11-589	12-4-1159	12-7-79	12-8-269	12-11-493	12-12-561	12-12-628
11-8-130	11-11-598	12-5-1203	12-7-80	12-8-278	12-11-503	12-12-565	13-1-633
11-8-142	11-11-600	12-5-1210	12-7-81	12-8-294	12-11-505	12-12-567	13-1-634
11-8-200	11-11-603	12-5-1216	12-7-86	12-8-296	12-11-507	12-12-570	13-1-635
11-9-284	11-12-702	12-5-1232	12-7-89	12-8-299	12-11-510	12-12-573	13-1-637
11-9-298	11-12-710	12-5-1241	12-7-96	12-8-302	12-11-514	12-12-582	13-1-639
11-9-304	12-1-733	12-5-1244	12-7-98	12-8-304	12-11-515	12-12-583	13-1-640
11-9-337	12-1-749	12-5-1246	12-7-111	12-9-336	12-11-516	12-12-584	13-1-642
11-9-343	12-1-764	12-5-1251	12-7-112	12-9-343	12-11-518	12-12-586	13-1-643
11-9-355	12-2-837	12-5-1259	12-7-129	12-9-346	12-11-519	12-12-590	13-1-646
11-9-358	12-2-838	12-5-1261	12-7-131	12-9-357	12-11-523	12-12-591	13-1-647
11-9-359	12-2-843	12-5-1266	12-7-153	12-9-358	12-11-524	12-12-592	13-1-648
11-9-392	12-2-854	12-5-1270	12-7-155	12-9-359	12-11-525	12-12-593	13-1-649
11-9-394	12-2-885	12-5-1280	12-7-167	12-9-363	12-11-529	12-12-594	13-1-650
11-9-396	12-2-891	12-6-1288	12-7-207	12-9-374	12-11-530	12-12-595	13-1-653
11-9-397	12-2-894	12-6-1290	12-7-211	12-10-413	12-11-531	12-12-597	13-1-655
11-9-398	12-2-896	12-6-1301	12-7-216	12-10-419	12-11-536	12-12-599	13-1-658
11-9-399	12-2-901	12-6-1305	12-7-218	12-10-425	12-11-537	12-12-600	13-1-663
11-9-401	12-3-942	12-6-1328	12-7-121	12-10-430	12-11-538	12-12-603	13-1-665
11-9-402	12-3-972	12-6-1329	12-8-227	12-10-432	12-11-539	12-12-606	13-1-668
11-9-418	12-3-974	12-6-1330	12-8-228	12-10-434	12-11-540	12-12-607	13-1-679
11-9-419	12-3-978	12-7-7	12-8-238	12-10-441	12-11-541	12-12-608	13-1-689
11-9-420	12-3-1026	12-7-12	12-8-239	12-10-444	12-11-542	12-12-610	13-1-691
11-9-421	12-3-1031	12-7-38	12-8-240	12-10-446	12-11-545	12-12-612	13-1-695
11-9-424	12-3-1032	12-7-48	12-8-243	12-10-465	12-11-547	12-12-613	13-1-696
11-9-455	12-4-1120	12-7-71	12-8-259	12-10-467	12-11-548	12-12-614	13-1-704

11. APPLICATIONS FOR CERTIFICATION REPORT

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 17 cases reflected on the *Applications for Certification Report*.

12. FINAL DECISIONS BY OPERATION OF LAW

The Commission reviewed the report, which advised of 14 cases now closed without an appeal for a hearing before an Administrative Law Judge. The report also advised that there were 3 cases closed without an appeal for a review hearing before the Commission.

Vice Chair Bernath called for approval of the Educator Ethics Review Committee report as presented by Pam Walker excluding case # 12-11-512, 12-11-549, 12-11-508.

PSC ACTION: Approved

Abstention: Kami Luigs – 11-9-360, 11-9-391, 11-8-225, Dr. Adrian Epps – 12-8-281, Bettina Tate – 12—1295, 12-9-335

Probable Cause Case # 12-11-512

MOTION: (Pam Walker / David Johnson) To Accept the EERC’s recommendation of a Reprimand.

PSC ACTION: Approved

Opposed: Kami Luigs, Phil Jacobs

Probable Cause Case # 12-11-549

MOTION: (Pam Walker / Dr. Adrian Epps) To accept the EERC’s recommendation of a 1 Year Suspension.

PSC ACTION: Approved

Opposed: Phil Jacobs, Kami Luigs, Christy McGill, Alice Clements

Probable Cause Case # 12-11-508

MOTION: (Kami Luigs / Phil Jacobs) To accept the EERC’s recommendation of a Reprimand.

PSC ACTION: Approved

B. Educator Preparation Standing Committee

Committee Chair, Dr. Adrian Epps, presented the report of the Educator Preparation Standing Committee.

	Unit Number	April 2013 Detailed Approval Recommendations	Additional Action Required
1.	5270	Preparation programs approval recommendations/decisions be tabled until the May 9, 2013, Educator Preparation Standing Committee meeting.	
2.	8884	Continuing Approval for the Georgia Teacher Academy for Preparation and Pedagogy (GaTAPP).	A Progress Report addressing the Standard 2 area for improvement is due in six months.

	Unit Number	April 2013 Detailed Approval Recommendations	Additional Action Required
		Change the Standard 2 Board of Examiners' finding for the Gifted In-Field Endorsement from Met to Not Met.	The recommended change is due to the number and severity of the cited areas for improvement.
		Continuing Approval with Probation for the Gifted In-Field Endorsement.	The education program provider is to complete a successful Probationary Review of the Education Program Provider and all educator preparation programs by Spring 2014.
		No new candidates be admitted to the Gifted In-Field Endorsement program upon receipt of the official Georgia Professional Standards Commission decision letter.	

Vice Chair Bernath called for approval of the Educator Preparation Committee report as presented by Chair Epps.

PSC ACTION: Approved

VIII. ADJOURNMENT

Vice Chair Bernath called for the meeting to be adjourned at 1:10 p.m.

PSC ACTION: Approved