

MINUTES

PROFESSIONAL STANDARDS COMMISSION

Two Peachtree Street

Atlanta, Georgia

May 12, 2011

The Georgia Professional Standards Commission (PSC) met on Thursday, May 12, 2011, at 12:30 p.m.

Members Present

Julia Bernath	Meredith Hodges	Jeannie Tucker
Alice Clements	David Johnson	Dr. Lawrence Walters
Penny Elkins	Stephanie Leggett	Pam Walker
Dr. Adrian Epps	Andre Mountain	Dr. Debbie Wilkes
Bill Haskin	Bettina Polite Tate	Valerie Williams

Members Absent

Marci Cawthon	Rose Powell
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I. CALL TO ORDER

Chair Wilkes called the meeting to order at 12:30 p.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: (Elkins / Walker) To approve the agenda.

PSC ACTION: Approved

III. APPROVAL OF MINUTES

Chair Wilkes called for approval of the minutes from the April 14, 2011, 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
- Phil Hartley, Harben, Hartley & Hawkins
- Mack Bullard, Educator
- Linda Fortson, Warren Fortson's Law Office
- Tayia Donald, Georgia Association of Educators (GAE)
- Sharon Patterson, Educator
- Sylvia McGee, Educator
- Jerry Lumley, Attorney

V. COMMITTEE REPORTS

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

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

1. Ms. Walker reported that the Committee reviewed 39 *Probable Cause* cases during its May 12, 2011, meeting and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>STANDARDS VIOLATED</u>	<u>RECOMMENDATION</u>
10-9-322	1,4,9	Reprimand
10-10-399	2,10	Revoke
10-10-400	2,10	Revoke
10-11-452	5,10	NPC
10-11-470	4,5,10	Suspend - 45 days
10-11-495	5,10	Suspend - 10 days
10-11-508	11	NPC
10-11-510	7,10,DoE	Suspend - 10 days
10-11-530	2,10	Reprimand
10-11-538	7,10,DoE	Reprimand
10-12-556	1,3,10	Suspend - 1 Year
10-12-560	3,10	Suspend - 1 Year
10-12-608	10	Suspend - 90 days
11-1-665	10,11	Suspend - 90 days
11-1-682	7,10	Suspend - 5 days
11-1-698	4,7,10,DoE	Reprimand
11-1-699	4,7,10,DoE	NPC
11-1-700	4,7,10,DoE	NPC
11-1-701	4,7,10,DoE	Reprimand
11-1-702	1,4,7,10,DoE	Suspend - 1 Year
11-1-703	4,7,10,DoE	NPC
11-1-704	4,7,10,DoE	NPC
11-1-705	4,7,10,DoE	NPC
11-1-706	4,7,10,DoE	NPC
11-0-722	4,7,10,DoE	Reprimand
11-2-724	2,9,10	Reprimand
11-2-729	2,10,Law	Suspend - 10 days
11-2-734	1,10	Extend
11-2-776	1,2,5,10	Revoke
11-2-778	1,4,10	NPC
11-2-782	4,10	Reprimand
11-2-784	2,10	Suspend - 5 days
11-3-809	5,10	Suspend - 1 Year
11-3-831	1,10	Suspend - 90 days

<u>CASE</u>	<u>STANDARDS VIOLATED</u>	<u>RECOMMENDATION</u>
11-3-867	1,10	Suspend - 20 days
11-3-872	1	Reprimand
11-3-886	4,10,11	Suspend - 90 days
11-3-887	2,10	Suspend - 20 days
11-3-894	3,10	Suspend - 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>STANDARDS VIOLATED</u>	<u>ALJ SANCTION</u>	<u>EERC RECOMMENDATION</u>
09-2-885	1,10	Reprimand	Grant

3. Ms. Walker reported that the Educator Ethics Review Committee reviewed 7 *Petitions Issues* and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>PREVIOUS SANCTION</u>	<u>EERC RECOMMENDATION</u>
10-8-152	Denial March 2007	Grant
10-11-545	Revocation May 2004	Grant
11-1-645	Revocation Jan. 2005	Grant
11-1-650	Revocation March 2004	Extend
11-1-687	Voluntary Surrender March 2004	Grant
11-3-826	Revocation June 2003	Grant
11-4-1020	Denial January 2002	Grant

4. Ms. Walker reported that the Educator Ethics Review Committee reviewed 6 *Settlement Agreements* and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>SANCTION</u>	<u>EERC RECOMMENDATION</u>
10-9-321	Reprimand	Accept
10-10-349	Suspension - 10 days	Accept
10-11-466	Suspension - 90 days	Accept
10-11-477	Suspension - 20 days	Accept
10-11-486	Suspension - 90 days	Accept
10-11-487	Suspension - 20 days	Accept

5. Ms. Walker reported that the Educator Ethics Review Committee reviewed 22 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee:

<u>CASE</u>	<u>NEGOTIATED SANCTION</u>	<u>EERC RECOMMENDATION</u>
08-7-29	Reprimand	Accept
08-9-308	Suspend - 5 days	Accept
09-7-47	NPC	Accept
09-7-48	NPC	Accept
09-7-49	NPC	Accept
09-7-50	Suspend - 5 days	Accept
09-7-99	Suspend - 60 days	Accept
09-10-382	Suspend - 6 months	Accept
09-11-555	Revocation	Accept
10-4-1017	Suspend - 45 days	Accept
10-4-1041	Suspend - 90 days	Accept
10-4-1095	Suspend - 1 Year	Accept
10-4-1096	Suspend - 1 Year	Accept
10-4-1105	Reprimand	Accept
10-5-1204	Suspend -55 days	Accept
10-5-1232	Suspend - 1 Year	Accept
10-6-1255	Suspend - 30 days	Accept
10-6-1264	Reprimand	Accept
10-7-23	Reprimand	Accept
10-7-38	Suspend - 20 days	Accept
10-7-98	Reprimand	Accept
10-9-299	NPC	Accept

6. VOLUNTARY SURRENDERS

The Commission reviewed 3 *Voluntary Surrenders* 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>	<u>EERC RECOMMEND</u>
10-8-147	2, 5, 10	Revocation	Accept
11-1-693	2, 10	Revocation	Accept
11-3-830	2, 10	Revocation	Reject

7. OTHER BUSINESS

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

<u>CASE</u>	<u>PREVIOUS SANCTION</u>	<u>EERC RECOMMEND</u>
09-10-385	Advise	NPC
09-10-386	Advise	NPC
09-10-387	Advise	NPC
10-10-442	Advise	Expand - to include inappropriate language

8. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 39 new complaints received during the months of April and May 2011:

9. EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS

The Educator Ethics Review Committee recommended approval of the 38 Extensions - Preliminary Investigative Determinations consisting of the following:

11-3-896	11-3-901	11-4-917	11-4-962	11-4-967	11-4-975	11-4-980	11-4-985
11-3-897	11-3-902	11-4-918	11-4-963	11-4-968	11-4-976	11-4-981	11-4-986
11-3-898	11-3-903	11-4-959	11-4-964	11-4-972	11-4-977	11-4-982	11-4-987
11-3-899	11-4-915	11-4-960	11-4-965	11-4-973	11-4-978	11-4-983	
11-3-900	11-4-916	11-4-961	11-4-966	11-4-974	11-4-979	11-4-984	

10. EXTENSIONS - INVESTIGATIONS

The Educator Ethics Review Committee recommended granting and *Investigative Extension* to the following 89 cases:

1.	10-6-1398	14.	10-11-511	27.	10-12-569	40.	10-12-624	53.	11-1-681	66.	11-1-714	79.	11-2-735
2.	10-7-0034	15.	10-11-512	28.	10-12-585	41.	10-12-625	54.	11-1-690	67.	11-1-715	80.	11-2-736
3.	10-8-117	16.	10-11-513	29.	10-12-591	42.	10-12-632	55.	11-1-694	68.	11-1-716	81.	11-2-737
4.	10-8-148	17.	10-11-514	30.	10-12-593	43.	11-1-642	56.	11-1-695	69.	11-1-717	82.	11-2-743
5.	10-8-149	18.	10-11-515	31.	10-12-596	44.	11-1-643	57.	11-1-696	70.	11-1-718	83.	11-2-775
6.	10-8-150	19.	10-11-544	32.	10-12-598	45.	11-1-646	58.	11-1-697	71.	11-1-719	84.	11-2-793
7.	10-8-168	20.	10-12-553	33.	10-12-606	46.	11-1-648	59.	11-1-707	72.	11-1-720	85.	11-2-794
8.	10-8-180	21.	10-12-554	34.	10-12-607	47.	11-1-654	60.	11-1-708	73.	11-1-721	86.	11-2-801
9.	10-9-331	22.	10-12-558	35.	10-12-611	48.	11-1-659	61.	11-1-709	74.	11-2-725	87.	11-3-844
10.	10-11-478	23.	10-12-562	36.	10-12-614	49.	11-1-662	62.	11-1-710	75.	11-2-726	88.	11-3-875

11.	10-11-502	24.	10-12-564	37.	10-12-618	50.	11-1-663	63.	11-1-711	76.	11-2-727	89.	11-3-876
12.	10-11-506	25.	10-12-565	38.	10-12-619	51.	11-1-673	64.	11-1-712	77.	11-2-728		
13.	10-11-507	26.	10-12-566	39.	10-12-623	52.	11-1-678	65.	11-1-713	78.	11-2-734		

11. APPLICATIONS FOR CERTIFICATION REPORT

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 12 cases reflected on the *Applications for Certification Report*.

12. REVIEW HEARING EXTENSIONS

The Commission reviewed the *Review Hearing Extensions Report* concerning 1 hearing case. An Administrative Law Judge rendered Initial Decisions on each case referenced in the report. The report indicates that an Order was issued.

13. STUDENT LOAN SUSPENSION / REINSTATEMENTS

The Commission reviewed the report, which indicated that there were 39 certificates suspended from April 14, 2011 through May 12, 2011. The Commission was also advised that there were 13 certificates that had been reinstated because restitution is now being made on those student loans. The Commission was also advised that there were 16 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.

14. FINAL DECISIONS BY OPERATION OF LAW

The Commission reviewed the report, which advised of 6 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.

Chair Wilkes called for approval of the Educator Ethics Review Committee report as presented by Pam Walker.

PSC ACTION: Approved

Abstention: Dr. Penny Elkins and Andre Mountain – Case # 09-10-385, 09-10-386, 09-10-387 / Julia Bernath Case # 09-10-387 / Dr. Larry Walters Case # 11-3-886 / Bettina Tate Case # 10-4-1095, 10-4-1096 / Stephanie Leggett Case # 11-4-977

Probable Cause Case # 10-11-470

MOTION: (Leggett / Walker) To accept the EERC recommendation of a 45 day Suspension.

PSC ACTION: Approved

Opposed: David Johnson

Probable Cause Case # 11-3-831

MOTION: (Johnson / Tucker) To accept the EERC recommendations as presented.

PSC ACTION: Approved

Other Business – Negotiated Consent Cases to Discuss

MOTION: (Johnson / Tucker) To accept the EERC recommendation of a 90 day Suspension.

PSC ACTION: Approved

B. Educator Preparation Standing Committee

Committee Chair, Dr. Penny Elkins, presented the following report of the Educator Preparation Standing Committee:

DEVELOPMENTAL APPROVAL PROGRAMS	
Institution 10105	<p>The Committee recommends Developmental Approval for the professional education unit and the following preparation programs:</p> <ul style="list-style-type: none"> • Early Childhood Education (P-5; Initial; Baccalaureate; certification only) • English Education (6-12; Initial; Baccalaureate; certification only) • History Education (6-12; Initial; Baccalaureate; certification only) • Mathematics Education (6-12; Initial; Baccalaureate; certification only) • Music Education (P-12; Initial; Baccalaureate; certification only) • Science Education (Broad field) (6-12; Initial; Baccalaureate; certification only)
Institution 5210	<p>The Committee recommends Denial of Approval for the following preparation programs:</p> <ul style="list-style-type: none"> • Special Education General Curriculum (P-12; Initial; Baccalaureate; Post-Baccalaureate; M.A.T.) • Special Education/Early Childhood Education (P-5; Initial; Baccalaureate; Post-Baccalaureate; M.A.T.)
Institution 5270	The Committee recommends Denial of Approval for the Coaching Endorsement.
PROGRESS REPORT	
School System 6441	The Committee recommends that the Progress Report submitted December 1, 2010, demonstrates satisfactory progress in addressing the unmet Standard 2 and all areas for improvement cited for the professional education unit and the GaTAPP program. The unmet Standard 2 and all areas for improvement shall remain.
REVIEW DEFERRAL REQUESTS	
Institution 5210	The Committee recommends deferring the Continuing Approval Review for the professional education unit and preparation programs until the Fall 2014 semester.
RESA 8724	The Committee recommends deferring the Initial Performance Review for the GaTAPP program until the Spring 2012 semester.

Chair Wilkes called for approval of the Educator Preparation Committee report as presented by Dr. Penny Elkins.

PSC ACTION: Approved

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VI. RULES

Mark Pevey presented the rules.

MOTION: (Leggett / Walker) To (1) amend the current rules in Chapter 505-2 Certification, effective June 15, 2011, as follows: 505-2-.15; (2) rescind the current rules in Chapter 505-3 Educator Preparation, effective June 15, 2011, as follows: 505-3-.05; (3) adopt the current rules in Chapter 505-3 Educator Preparation, effective June 15, 2011, as follows: 505-3-.05.

PSC ACTION: Approved

VII. ADJOURNMENT

Chair Wilkes called for the meeting to be adjourned at 1:15 pm.

PSC ACTION: Approved