

# MINUTES

## PROFESSIONAL STANDARDS COMMISSION 2 Peachtree Street 29<sup>th</sup> Floor, DHR Boardroom Atlanta, Georgia September 8, 2005

The Georgia Professional Standards Commission (PSC) met on Thursday, September 8, 2005, at 9 a.m.

### Members Present

Stephen Dartt	Dr. Louisa Moffitt	Sandra Thompson
Terri DeLoach	Lee Muns	Dr. Wanda West
Amy Denty	Dr. Mary Outlaw	Dr. Debbie Wilkes
Jean Ebron	Dr. Holly Robinson	
Maria Miller	Dr. Craig Smith	

### Members Absent

Mary Gomez	Carolyn Lee Hart
Gary Bechtel	

### **I. CALL TO ORDER**

Terri DeLoach called the meeting to order at 9:00 a.m. and led the Pledge of Allegiance to the U.S. flag and a moment of silence.

### **II. RECOGNITION OF VISITORS**

Terri DeLoach recognized the visitors.

- Margaret Elliott, Professional Association of Georgia Educators
- Gayle Wooten, Professional Association of Georgia Educators
- John Hooper, Georgia School Superintendents Association
- Joan McMullan, Georgia Public Broadcasting
- Patrice Weaver, Georgia Public Broadcasting

### **III. ADOPTION OF AGENDA**

Terri DeLoach called for approval of the agenda.

**MOTION:** (Muns / Robinson) To approve agenda.

**PSC ACTION:** Approved

### **IV. APPROVAL OF MINUTES**

Terri DeLoach called for approval of the minutes from the August 11, 2005, Commission meeting.

**PSC ACTION:** Approved

## V. COMMITTEE REPORTS

### A. Educator Ethics --Recommendations and Actions on Cases

Commissioner Maria Miller, gave a preliminary review of the Cases.

- Ms. Miller reported that the Committee reviewed 64 **Probable Cause** cases during its September 7, 2005, meeting and brought the following recommendations on behalf of the Committee:

#	CASE NUMBER	STANDARDS VIOLATED	RECOMMENDATION
1	05-05-1595	Abandonment of Contract Professional Conduct	Suspension for 90 Days
2	05-07-003	Abandonment of Contract Professional Conduct	No Probable Cause
3	05-03-1474	Abuse of Students Public Funds and Property Professional Conduct	Reprimand
4	05-05-1592	Abuse of Students Professional Conduct Public Funds and Property	Revocation
5	05-05-1661	Abuse of Students Misrepresentation or Falsification Professional Conduct	Suspension for 20 Days
6	05-05-1704	Abuse of Students Professional Conduct	No Probable Cause
7	05-05-1709	Abuse of Students Professional Conduct	Suspension for 20 Days
8	05-06-1828	Abuse of Students Professional Conduct	Reprimand
9	05-05-1645	Professional Conduct Action Taken in Another State	No Probable Cause
10	05-06-1740	Alcohol or Drugs Professional Conduct	No Probable Cause
11	05-06-1947	Alcohol or Drugs Professional Conduct	Suspension for 5 Days
12	05-05-1672	Confidential Information Professional Conduct	No Probable Cause
13	05-07-006	Confidential Information Professional Conduct	No Probable Cause
14	05-03-1458	Criminal Acts Professional Conduct	Extend Probable Cause for Two Meetings (Until Nov. 10, 2005)

#	CASE NUMBER	STANDARDS VIOLATED	RECOMMENDATION
15	05-04-1550	Criminal Acts Professional Conduct	Revocation
16	05-05-1593	Criminal Acts Abuse of Students Public Funds and Property Professional Conduct	Revocation
17	05-05-1623	Criminal Acts Professional Conduct	Reprimand
18	05-05-1685	Criminal Acts Professional Conduct	No Probable Cause
19	05-05-1686	Criminal Acts Professional Conduct	No Probable Cause
20	05-05-1690	Criminal Acts Professional Conduct	Reprimand
21	05-05-1691	Criminal Acts Failure to Make a Required Report Professional Conduct	Reprimand
22	05-06-1721	Criminal Acts Professional Conduct	Denial
23	05-06-1723 Addendum	Criminal Acts Failure to Make a Required Report Professional Conduct	Reprimand
24	05-06-1729	Criminal Acts Professional Conduct Misrepresentation or Falsification	Reprimand
25	05-06-1731	Criminal Acts Professional Conduct Failure to Make a Required Report Misrepresentation or Falsification	Suspension for 5 Days
26	05-06-1733	Criminal Acts Professional Conduct	Reprimand
27	05-06-1755	Criminal Acts Professional Conduct	Warning
28	05-06-1761	Criminal Acts Professional Conduct	Denial
29	05-06-1783	Criminal Acts Professional Conduct	No Probable Cause
30	05-06-1788	Criminal Acts Professional Conduct	No Probable Cause
31	05-06-1878	Criminal Acts Professional Conduct Failure to Make a Required Report Misrepresentation or Falsification	Suspension for 3 Years
32	05-06-1948	Criminal Acts Professional Conduct	Suspension for 1 Year
33	05-06-1954	Criminal Acts Professional Conduct	No Probable Cause

#	CASE NUMBER	STANDARDS VIOLATED	RECOMMENDATION
		Failure to Make a Required Report Misrepresentation or Falsification	
34	05-07-001	Criminal Acts Professional Conduct	Revocation
35	05-05-1711	Failure to Make a Required Report Criminal Acts Professional Conduct	Reprimand
36	05-03-1473	Misrepresentation or Falsification Professional Conduct	No Probable Cause
37	05-04-1551	Misrepresentation or Falsification Professional Conduct	Suspension for 2 Years
38	05-04-1569	Misrepresentation or Falsification Professional Conduct	Suspension for 60 Days
39	05-05-1604	Misrepresentation or Falsification Professional Conduct	Reprimand
40	05-05-1616	Misrepresentation or Falsification Criminal Acts Professional Conduct	Denial
41	05-05-1633 Addendum	Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	Extend Probable Cause for Two Meetings (Until Nov. 10, 2005)
42	05-05-1637	Misrepresentation or Falsification Criminal Acts Failure to Make a Required Report Professional Conduct	Reprimand
43	05-05-1674	Misrepresentation or Falsification Professional Conduct	Suspension for 1 Year
44	05-05-1693	Misrepresentation or Falsification Professional Conduct	Reprimand
45	05-06-1738	Misrepresentation or Falsification Professional Conduct	Suspension for 90 Days
46	05-06-1885	Misrepresentation or Falsification Criminal Acts Failure to Make a Required Report Professional Conduct	Reprimand
47	05-06-1923	Misrepresentation or Falsification Professional Conduct	Suspension for 90 Days
48	05-02-1314	Professional Conduct	Extend Probable Cause for Two Meetings (Until Nov. 10, 2005) Letter of Intent
49	05-05-1553	Professional Conduct	Warning
50	05-05-1622	Professional Conduct	No Probable Cause
51	05-05-1642	Professional Conduct	No Probable Cause
52	05-05-1712	Professional Conduct	Suspension for 10 Days
53	05-06-1922	Professional Conduct	Suspension for 5 Days

#	CASE NUMBER	STANDARDS VIOLATED	RECOMMENDATION
54	05-07-007	Professional Conduct	No Probable Cause
55	05-07-049	Professional Conduct	Reprimand
56	05-07-050	Professional Conduct	Suspension for 5 Days
57	05-05-1665	Public Funds and Property Misrepresentation or Falsification Professional Conduct	Suspension for 90 Days
58	05-05-1673	Public Funds and Property Professional Conduct	Suspension for 60 Days
59	05-05-1700	Public Funds and Property Professional Conduct	Suspension for 90 Days
60	05-06-1877	Public Funds and Property Abandonment of Contract Professional Conduct	Suspension for 1 Year
61	05-06-1889	Public Funds and Property Professional Conduct	Reprimand
62	05-06-1917	Public Funds and Property Professional Conduct	Suspension for 1 Year
63	05-06-1918	Public Funds and Property Professional Conduct	Voluntary Surrender
64	05-06-1919	Public Funds and Property Professional Conduct	Suspension for 1 Year

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

CASE NUMBER	STANDARDS VIOLATED	ADMINISTRATIVE LAW JUDGE SANCTION	RECOMM.
04-07-013	Abuse of Students Misrepresentation or Falsification Professional Conduct	Suspension for One Year	Accept

3. Ms. Miller reported that the Educator Ethics Review Committee reviewed 5 *Petitions Issues* and brought the following recommendations on behalf of the Committee:

#	CASE NUMBER	REQUEST	PREVIOUS SANCTION	PREVIOUS VIOLATION	RECOMM
1	05-03-1437	Right to Reapply	Denial - Dec. 24, 1999	Criminal Acts	Deny
2	05-06-1929	Right to Reapply	Revoked - Aug. 10, 2000	Alcohol or Drugs	Deny
3	05-04-1547	Right to Petition Early	Revoked - Dec. 18, 2000 Denied Right to Reapply - July 12, 2005	Criminal Acts	Grant
4	04-10-567	Right to Petition Early	Revoked - June 19, 1997 Denied Right to Reapply - Jan. 13, 2005	Criminal Acts Misrep. / False.	Deny
5	05-03-1510	Right to Reapply	Denial - Nov. 14, 2002	Misrep. / False.	Grant

4. Ms. Miller reported that the Educator Ethics Review Committee reviewed 13 *Settlement Agreements* and brought the following recommendations on behalf of the Committee:

#	CASE NUMBER	SANCTION	STANDARDS VIOLATED	RECOMMENDATION
1	05-02-1223	Reprimand	Misrepresentation or Falsification Failure to Make a Required Report	Accept
2	05-02-1294	Suspension for Three Months	Misrepresentation or Falsification Professional Conduct	Accept
3	05-03-1416	Warning	Misrepresentation or Falsification Professional Conduct Criminal Acts Failure to Make a Required Report	Accept
4	05-04-1560	Suspension for Three Months	Abuse of Students Professional Conduct	Accept
5	05-05-1624	Warning	Misrepresentation or Falsification Professional Conduct Criminal Acts Failure to Make a Required Report	Accept
6	05-05-1671	Reprimand	Public Funds and Property Professional Conduct	Accept
7	05-05-1687	Reprimand	Misrepresentation or Falsification Professional Conduct Criminal Acts Failure to Make a Required Report	Accept
8	05-05-1688	Reprimand	Abuse of Students Professional Conduct Criminal Acts	Accept
9	05-05-1707	Suspension for One Year	Alcohol or Drugs Professional Conduct	Accept
10	05-06-1741	Suspension for One Year	Public Funds and Property Professional Conduct	Accept
11	05-06-1742	Suspension for Two Years	Alcohol or Drugs Criminal Acts Professional Conduct	Accept
12	05-06-1749	Warning	Misrepresentation or Falsification Professional Conduct Criminal Acts Failure to Make a Required Report	Accept
13	05-06-1781	Warning	Criminal Acts Professional Conduct	Accept

5. Ms. Miller reported that the Educator Ethics Review Committee reviewed 3 *Negotiated Settlement Agreements* and brought the following recommendations on behalf of the Committee:

#	CASE NUMBER	STANDARDS VIOLATED	NEGOTIATED SANCTION	RECOMMENDATION
1	04-5-1667	Misrepresentation or Falsification Professional Conduct	Suspension for Six Months	Accept
2	04-8-204	Criminal Acts Abuse of Students Professional Conduct	Revocation	Accept
3	03-09-339 04-12-723	Abuse of Students Professional Conduct	Suspension for One Year	Accept

6. Ms. Miller reported that the Educator Ethics Review Committee reviewed 1 *Voluntary Surrender/Voluntary*

**Denial** and brought the following recommendation on behalf of the Committee:

#	CASE NUMBER	SANCTION	STANDARDS VIOLATED	RECOMMENDATION
1	05-06-1918	Revocation	Public Funds and Property Professional Conduct	Accept

7. The Educator Ethics Review Committee recommended approval of the ***Preliminary Investigative Determination Report*** consisting of 58 new complaints received during the months of August and September 2005.

#### 8. **EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS**

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

Case Number	Case Number	Case Number	Case Number
05-08-192	05-08-196	05-08-200	05-08-204
05-08-193	05-08-197	05-08-201	05-08-205
05-08-194	05-08-198	05-08-202	05-08-207
05-08-195	05-08-199	05-08-203	05-08-208

#### 9. **EXTENSIONS - INVESTIGATIONS**

The Educator Ethics Review Committee recommended granting and ***Investigative Extension*** to the following 130 cases:

Case Number	Case Number	Case Number	Case Number	Case Number	Case Number	Case Number	Case Number	Case Number
05-05-1681	05-05-1654	05-06-1754	05-06-1866	05-07-8	05-07-67	05-07-92	05-08-211	05-08-232
05-06-1739	05-06-1821	05-06-1765	05-06-1867	05-07-9	05-07-68	05-07-93	05-08-212	05-08-233
05-06-1926	05-06-1881	05-06-1797	05-06-1872	05-07-34	05-07-69	05-07-94	05-08-215	
05-06-1883	05-06-1882	05-06-1806	05-06-1890	05-07-37	05-07-70	05-07-95	05-08-216	
05-06-1888	05-03-1455	05-06-1807	05-06-1897	05-07-38	05-07-71	05-07-118	05-08-217	
05-06-1916	05-05-1657	05-06-1833	05-06-1906	05-07-39	05-07-72	05-07-120	05-08-218	
05-07-004	05-05-1706	05-06-1836	05-06-1909	05-07-41	05-07-75	05-07-126	05-08-220	
05-05-1606	05-06-1824	05-06-1837	05-06-1912	05-07-42	05-07-76	05-07-128	05-08-222	
05-05-1607	05-06-1827	05-06-1838	05-06-1930	05-07-45	05-07-77	05-07-130	05-08-223	
05-05-1684	05-06-1887	05-06-1840	05-06-1935	05-07-46	05-07-78	05-07-132	05-08-225	
05-05-1702	05-06-1915	05-06-1842	05-06-1938	05-07-59	05-07-79	05-07-144	05-08-226	
05-06-1820	05-06-1921	05-06-1843	05-06-1940	05-07-60	05-07-82	05-07-145	05-08-227	
05-03-1439	05-06-1953	05-06-1846	05-06-1943	05-07-61	05-07-83	05-07-162	05-08-228	
05-03-1456	05-07-0048	05-06-1852	05-06-1944	05-07-62	05-07-84	05-08-170	05-08-229	
05-03-1482	05-05-1614	05-06-1853	05-06-1946	05-07-64	05-07-90	05-08-172	05-08-230	
05-04-1555	05-06-1718	05-06-1860	05-07-5	05-07-66	05-07-91	05-08-181	05-08-231	

#### 10. **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***.

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#### 11. **REVIEW HEARING EXTENSIONS**

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

#### 12. **STUDENT LOAN SUSPENSION / REINSTATEMENTS**

The Commission reviewed the report, which indicated that there were 2 certificates suspended from August 11, 2005 until September 8, 2005. There were 8 certificates that had been *reinstated* because restitution is now being made on those student loans. There were 4 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 18 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.

Terri Deloach called for approval of the Educator Ethics report.

**PSC ACTION:** Approved

Abstention: Lee Muns on Case # 05-8-298, 05-9-303, 05-9-304, 05-8-242 from the Preliminary Investigative Determination report

#### VI. **EXECUTIVE SECRETARY REPORT**

The Executive Secretary presented the following:

- A. Governor Sonny Perdue requested that Kennesaw State University develop a curriculum specifically for board members on ethics, effectiveness and efficiency. He would like for all Board members to attend the workshops that will be held on either October 27<sup>th</sup> or October 31<sup>st</sup> from 8:30 am – 12 noon at Kennesaw State University. A memorandum from Governor Perdue regarding this was given to all commission members.
- B. Dr. Toth gave the commissioners a chart reflecting the beginning fall enrollments in one-year supervised practicum's.
- C. Master Teacher Hearings are being held throughout the state during the month of September. On September 7<sup>th</sup> a meeting was held in Lawrenceville and tonight (September 8<sup>th</sup>) a meeting will be held in Carrollton at the State University of West Georgia. Dr. Wanda West, Sandra Thompson, Dr. Debbie Wilkes, Amy Denty and Terri Deloach are all serving on the Master Teacher Committee.
- D. The National Evaluation Systems are currently clearing people to serve on advisory committees for the Georgia Assessments for the Certification of Educators (GACE). These committees will meet on September 26<sup>th</sup> through October 7<sup>th</sup>, 2005.
- E. Dr. Fran Watkins discussed the handout titled "Initiate Rules for Educator Preparation".

**MOTION:** (Miller / Muns) To initiate rulemaking to rescind/adopt Professional Standards Commission rules in chapter 505-3, Educator Preparation.



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**F.** Dr. Gary Walker gave a handout to all commissioners regarding the length of a suspension and it would relate to the educators loss of pay.

**G.** Maria Miller gave a brief description of the State Boards Liaison Committee meeting that was held on August 29, 2005.

**H.** Dr. Gary Walker showed the new Code of Ethics video to be used for teacher orientation.

**I.** Dr. Joan McMullan, retired Chemistry and Physics teacher and Patrice Weaver, Georgia Public Broadcasting, spoke about developing a video/on-line instruction for high school Chemistry and Physic classes. They are currently being used in some high schools throughout the state. Dr. Joan McMullan showed us the Chemistry video. They are working hard to get the word out to the school systems in Georgia that these instructional videos are available.

**J.** Stephen Dartt requested that the PSC staff investigate whether an employee in the Department of Education is authorized to share confidential information.

## **VII. ADJOURNMENT**

Terri Deloach called for the meeting to be adjourned at 11:35 a.m.

**PSC ACTION:** Approved