

MINUTES

PROFESSIONAL STANDARDS COMMISSION

DHR Board Room

Two Peachtree Street

Atlanta, Georgia 30303-3141

August 9, 2002

The Georgia Professional Standards Commission (PSC) met on Friday, August 9, 2002, at 9 a.m.

Members Present

Pamela Thomas
Dottie McClain
Smith Pass
Janet Scott
Elizabeth Kidd

Sylvia Hooker
Sue Sehgal
Leon Hurley
Mary Gomez
Amy Denty

Pamela Nutt
Gary Walker
Gwenda Johnson

Members Absent

Pamela Hertzog
Tony Natson
Maria Miller

Angela Finn
Terri DeLoach

I. CALL TO ORDER

Chair Denty called the meeting to order at 9:05 a.m. and led the Pledge of Allegiance to the U.S. flag and a moment of silence.

II. RECOGNITION OF VISITORS

Chair Denty recognized the visitors.

- Margaret Elliott, Professional Association of Georgia Educators
- Gayle Wooten, Professional Association of Georgia Educators
- Randy Reese
- Franklin Shumake
- Jody Grogan, Georgia Association of Educators (GAE)

III. ADOPTION OF AGENDA

Chair Denty called for approval of the agenda.

MOTION: (Sehgal / Thomas) To approve agenda.

ACTION: Approved

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IV. APPROVAL OF MINUTES

Chair Denty called for approval of the minutes from the July 11, 2002, Commission meeting.

MOTION: (Johnson / McClain) To approve the minutes.

ACTION: Approved

V. COMMITTEE REPORTS

A. Educator Preparation Standing Committee

Committee Chair, Sue Sehgal, presented the report of the Educator Preparation Standing Committee.

1. Emmanuel College's Progress Report

The PSC Board of Examiners team conducted a comprehensive unit and program on-site review at Emmanuel College on April 7-11, 2001. A Board of Examiners Report was sent to Emmanuel College and the College responded with a rejoinder. The College disagreed with all weaknesses cited by the BOE. The Evaluation Review Panel reviewed the Board of Examiners Report and the College's rejoinder and removed the weaknesses cited. The Standing Committee, after reviewing all materials, did not agree with the ERP and reinstated all weaknesses. The Commission requested the College to provide a progress report by July 15, 2002, and to correct all weaknesses by December 15, 2002.

The Evaluation Review Panel reviewed the progress report and judged it to be satisfactory. The Panel recommended that all stipulations be continued, except for Standards I.I: Professional Community and I.A.: Conceptual Framework for Mathematics program, which may be removed. The Educator Preparation Standing Committee reviewed the Progress Report and supporting information and concurred with the ERP recommendations. The timeline continues as previously determined by the Commission, December 15, 2002.

MOTION: (Sehgal / Thomas) To approve the presentation by the Committee on Emmanuel College.

PSC ACTION: Approved

Abstention: Johnson

2. Removal of the Provisos placed upon the ESOL Program at Georgia State University

Georgia State University underwent a continuing PSC/NCATE on-site unit and program review in March 2001. The University's ESOL program was approved with provisos at the Commission's December 6, 2001 meeting. The University was instructed to file a written response within six months addressing all standards met with weaknesses. In addition, the Commission expressed a concern on how applied linguistic courses offered by the Applied Linguistics Department in the College of Arts and Science meet P-12 requirements.

The Evaluation Review Panel reviewed the Provisos Report and judged it to be satisfactory. The Panel recommends that provisos be removed. The Educator Preparation Standing Committee reviewed the progress report and supporting information and concurred with the ERP recommendation.

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MOTION: (Sehgal / Thomas) To approve the removal of the provisos placed upon the ESOL Program at Georgia State University.

PSC ACTION: Approved

Abstention: Hurley

3. Wesleyan College's Stipulation Progress Report

The Evaluation Review Panel (ERP) reviewed the follow-up plan and judged it to be unsatisfactory and recommended specific information to be provided to the PSC by June 20, 2002. The Educator Preparation Standing Committee of the Commission and the full Commission reviewed the report and concurred with all ERP recommendations at its March 14, 2002, meeting.

The Evaluation review Panel reviewed the June 20, 2002, Progress Report and considered the Report to be satisfactory with some stipulations to remain. The panel recommended the following stipulations be removed:

I.A-Conceptual Framework – Weakness A: The conceptual framework is not fully articulated and shared among all stakeholders.

II.B: Composition of Education Faculty – Faculty in the Education department does not include minority representation.

The Panel recommends that the following stipulations remain:

I.A-Conceptual Framework-Weakness B: The Panel recommends the implementation of an assessment system to include performance data of candidates.

IV.C: Resources for Operating the Unit-The Panel requests further evidence of the operational budget and supplemental support for educational efforts and faculty at the initial and advanced programs levels. The report is to be available for review at the next ERP meeting.

A report is to be received by the PSC by September 19, 2002 for both remaining stipulations.

The Educator Preparation Standing Committee reviewed the progress report and supporting information and concurred with the ERP recommendation.

MOTION: (Sehgal / Thomas) To approve Wesleyan College's Stipulation Progress Report and that stipulations be adjusted as recommended by the Evaluation Review Panel.

PSC ACTION: Approved

4. Piedmont College's Progress Report on Addressing all Standards Approved with Weaknesses

The education unit and initial and advanced preparation programs at Piedmont College were granted approval with stipulations by the Commission at its May 3, 2001 meeting. The Commission requested the College to file a written response within one year demonstrating how all standards with weaknesses have been addressed.

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The Evaluation Review Panel recommended that the Progress Report was unsatisfactory and further information was requested. The professional education Unit stipulations must be addressed before the individual program stipulations can be considered. The Panel found no evidence of the Unit stipulations being addressed in the provided response. It was recommended that the entire report be resubmitted and that careful attention be directed to responding to the Unit weaknesses and how they will ensure that program weaknesses and not met standards will be ensured. The report was requested September 19, 2002, for review at the next Panel meeting.

The Educator Preparation Standing Committee reviewed the Progress Report and supporting information and concurred with the ERP recommendation, with the exception of the timeline. The Standing Committee recommended that the timeline be extended to December 15, 2002, to allow the College adequate time to prepare its response.

MOTION: (Sehgal / Thomas) To approve that the Piedmont College Progress Report is unsatisfactory and that further information is requested.

PSC ACTION: Approved

5. Removal of the Stipulation placed upon the Instructional Effectiveness Course at Griffin RESA

The Commission approved with stipulations the instructional effectiveness course titled "Leadership for School Improvement" for Griffin RESA at its March 14, 2002, meeting. Griffin RESA was requested to provide a written response to the identified weaknesses by June 21, 2002.

The Evaluation Review Panel reviewed the Stipulation Report and judged it to be satisfactory. The Panel recommends that stipulations be removed. The Educator Preparation Standing Committee reviewed the report and supporting information and concurred with the ERP recommendation.

MOTION: (Sehgal / Thomas) To approve removal of the stipulation placed upon the Instructional Effectiveness course at Griffin RESA.

PSC ACTION: Approved

6. Removal of the Stipulation placed upon the Instructional Technology course at Armstrong Atlantic State University

The Commission approved with stipulation the instructional technology course for Georgia GLOBE, the online college of the Georgia Board of Regents, at its March 14, 2002, meeting. Georgia GLOBE has since authorized Armstrong Atlantic State University to be the institution of record for delivering the program. The Commission requested the College to file a written response addressing standards met with weaknesses and to provide a rubric that clearly describes performance levels of candidates by June 21, 2002.

The Evaluation Review Panel reviewed the Stipulation Report and judged it to be satisfactory. The Panel recommends that stipulations be removed. The Educator Preparation Standing Committee reviewed the report and supporting information and concurred with the ERP recommendation.

MOTION: (Sehgal / Gomez) To approve removal of the stipulation placed upon the Instructional Technology course at Armstrong Atlantic State University.

PSC ACTION: Approved

7. Removal of the Stipulation placed upon the Instructional Technology course at Valdosta State University

The Commission approved with stipulation the Valdosta State University instructional technology course, ITED 7080, at its March 14, 2002, meeting. The Commission requested the College to file a written response addressing the preparation of individuals who will conduct the on-the-job assessment by June 21, 2002.

The Evaluation Review Panel reviewed the Stipulation Report and judged it to be satisfactory. The Panel recommended that stipulations be removed. The Educator Preparation Standing Committee reviewed the Stipulation Report and supporting information and concurred with the ERP recommendation.

MOTION: (Sehgal / Thomas) To approve removal of the stipulation placed upon the Instructional Technology course at Valdosta State University.

PSC ACTION: Approved

8. Instructional Technology Courses

The A+ Education Reform Act of 2000 requires that all certified educators in Georgia demonstrate competence in the application of instructional technology. The Professional Standards Commission has been authorized under this Act to approve courses and a test-out alternative as one way for meeting this requirement. An application process has been designed and an external technology application review panel has been formed to review all applications.

The Evaluation Review Panel (ERP) reviewed the analysis of the external technology review panel and concurred with its recommendations. The Educator Preparation Standing Committee reviewed the course applications and recommendations from the external technology review panel and concurred with the ERP decisions.

MOTION: (Sehgal / Thomas) To approve with stipulations with a corrective action report due by November 15, 2002, for Aquinas High School, Cobb County, Columbus State University, Greater Atlanta Christian School, Griffin RESA, Henry County and Thomasville City.

PSC ACTION: Approved

Abstention: Nutt

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

Commissioner Janet Scott, Chair of the Educator Ethics Review Committee (EERC), gave a preliminary review of the Cases.

1. Ms. Scott reported that the Committee reviewed 55 *Probable Cause* cases during its August 8, 2002, meeting and brought the following recommendations on behalf of the Committee:

PC #	Case Number	STANDARD(S)	EERC Recommendation
1	02-01-1245	Abuse of Students Misrepresentation or Falsification Professional Conduct	Revocation

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PC #	Case Number	STANDARD(S)	EERC Recommendation
2	02-03-1498	Abuse of Students Professional Conduct	No Probable Cause
3	02-04-1732 Applicant	Abuse of Students Professional Conduct Action Taken in Another State	Denial
4	02-05-1870	Abuse of Students Professional Conduct	Revocation
5	02-05-1978	Abuse of Students Confidential Information Failure to Make a Required Report Professional Conduct	Reprimand
6	02-06-2211	Abuse of Students Misrepresentation or Falsification Professional Conduct	Suspension for Six Months
7	02-05-2078 Applicant	Abuse of Students Professional Conduct	Warning
8	02-06-2200	Abuse of Students Misrepresentation or Falsification Professional Conduct	No Probable Cause
9	02-5-1975	Alcohol or Drugs Misrepresentation or Falsification Professional Conduct	No Probable Cause
10	02-05-2035	Alcohol or Drugs Abuse of Students Criminal Acts Professional Conduct	Suspension for One Year
11	02-05-2043	Alcohol or Drugs Criminal Acts Professional Conduct	Suspension for One Year
12	02-05-2131	Public Funds and Property Misrepresentation or Falsification Professional Conduct	Warning
13	02-05-1979	Abandonment of Contract	Suspension for Six Months
14	02-04-1802	Professional Conduct Abuse of Students	Warning
15	02-05-2005	Professional Conduct Abuse of Students	Reprimand
16	02-05-2007	Professional Conduct Failure to Comply with Monitoring Stipulations	Warning
17	02-05-2041	Professional Conduct	Reprimand
18	02-05-1995	Professional Conduct	No Probable Cause
19	02-05-2133	Professional Conduct	Reprimand
20	02-03-1605	Professional Conduct	Warning
21	02-06-2173 Applicant	Professional Conduct	Warning

PC #	Case Number	STANDARD(S)	EERC Recommendation
22	01-12-1083 Applicant	Criminal Acts Professional Conduct	No Probable Cause
23	02-01-1291	Criminal Acts Professional Conduct	Extend Probable Cause Determination Additional 30 Days
24	02-02-1379	Criminal Acts Professional Conduct	Extend Probable Cause Determination Additional 30 Days
25	02-03-1563	Criminal Acts Professional Conduct	Revocation
26	02-03-1604	Criminal Acts Professional Conduct	No Probable Cause
27	02-04-1758 Applicant	Criminal Acts Professional Conduct	No Probable Cause
28	02-04-1760 Applicant	Criminal Acts Action Taken in Another State Professional Conduct	No Probable Cause
29	02-04-1762	Criminal Acts Professional Conduct	No Probable Cause
30	02-04-1845	Criminal Acts Professional Conduct	Revocation
31	02-05-1920 Applicant	Criminal Acts Professional Conduct	No Probable Cause
32	02-05-2087	Criminal Acts Professional Conduct	No Probable Cause
33	02-06-2168	Criminal Acts Professional Conduct	No Probable Cause
34	02-06-2171	Criminal Acts	No Probable Cause
35	02-06-2175	Criminal Acts Professional Conduct	No Probable Cause
36	02-01-1364	Misrepresentation or Falsification	Revocation
37	02-05-2006	Misrepresentation or Falsification	No Probable Cause
38	02-05-1987	Misrepresentation or Falsification	Warning
39	02-05-2034	Misrepresentation or Falsification	Reprimand
40	02-05-2040	Misrepresentation or Falsification	Warning
41	02-05-2124	Misrepresentation or Falsification	Reprimand
42	02-05-2125	Misrepresentation or Falsification	Suspension for Six Months
43	02-06-2240	Misrepresentation or Falsification	Warning
44	02-06-2241	Misrepresentation or Falsification	Reprimand
45	02-06-2242	Misrepresentation or Falsification	Reprimand
46	02-06-2243	Misrepresentation or Falsification	Reprimand
47	02-06-2244	Misrepresentation or Falsification	Suspension for Six Months

PC #	Case Number	STANDARD(S)	EERC Recommendation
48	02-06-2248	Misrepresentation or Falsification	Warning
49	02-03-1571	Misrepresentation or Falsification Confidential Information Professional Conduct	No Probable Cause
50	02-06-2177	Misrepresentation or Falsification Professional Conduct	Warning
51	02-03-1614	Misrepresentation or Falsification Criminal Acts Professional Conduct	Extend Probable Cause Determination Additional 30 Days
52	02-04-1686	Misrepresentation or Falsification Criminal Acts Professional Conduct	No Probable Cause
53	02-04-1693	Misrepresentation or Falsification Criminal Acts Professional Conduct	No Probable Cause
54	02-05-2119	Misrepresentation or Falsification Criminal Acts Professional Conduct	No Probable Cause
55	02-06-2176	Misrepresentation or Falsification Criminal Acts Professional Conduct	No Probable Cause

PSC ACTION: Approved

2. Ms. Scott reported that the Educator Ethics Review Committee reviewed 3 *Initial Decisions* and brought the following recommendations on behalf of the Committee:

Case Number	Ethical Violation	ALJ Initial Decision	EERC Recomm.
01-01-854	Professional Conduct Abuse of Students Misrepresentation or Falsification	Suspension – Six Months (Educator Withdrew Hearing Request and accepted six months suspension)	Accept
01-01-990	Criminal Acts Professional Conduct	Revocation	Accept
99-9-289	Professional Conduct	Suspension for One Year Monitoring for Two Years	Accept

PSC ACTION: Approved

3. Ms. Scott reported that the Educator Ethics Review Committee reviewed 1 *Petitions-Certificate Issues* and brought the following recommendations on behalf of the Committee:

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Case Number	Educator	Nature of Petition	Previous Decision (Violation)	EERC Recomm.
02-3-1594	Michael Douglas	Right to Re-apply	Denied – 1994	Deny

PSC ACTION: Approved

4. Ms. Scott reported that the Educator Ethics Review Committee reviewed 21 *Settlement Agreements* and brought the following recommendations on behalf of the Committee:

Case Number	Sanction	Violation	EERC Recommendation (Accept or Reject)
02-1-1237	Suspension – 3 Months	Professional Conduct Public Funds and Property	Accept
02-3-1503	Reprimand	Professional Conduct	Accept
02-3-1517	Warning	Abuse of Students Professional Conduct	Accept
02-3-1528	Suspension – 3 Months	Abuse of Students Professional Conduct	Accept
02-3-1574	Suspension – 6 Months	Abandonment of Contract	Accept
02-3-1586	Warning	Failure to Make a Required Report Professional Conduct	Accept
02-3-1587	Reprimand	Alcohol or Drugs Criminal Acts Professional Conduct	Accept
02-4-1679	Warning	Misrepresentation or Falsification Criminal Acts	Accept
02-4-1712	Suspension – 1 Year	Public Funds & Property Professional Conduct	Accept
02-4-1799	Reprimand	Professional Conduct	Accept
02-4-1840	Warning	Action Taken In Another State Misrepresentation or Falsification	Accept
02-5-1867	Reprimand	Misrepresentation or Falsification Confidential Information Professional Conduct	Accept
02-5-1876	Reprimand	Criminal Acts Professional Conduct	Accept
02-5-1878	Warning	Misrepresentation or Falsification	Accept
02-5-1886	Warning	Abuse of Students Professional Conduct	Accept
02-5-1888	Reprimand	Professional Conduct	Accept
02-5-1889	Warning	Professional Conduct	Accept

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02-5-1892	Reprimand	Misrepresentation & Falsification Professional Conduct	Accept
02-5-1891	Reprimand	Failure to Make a Required Report Professional Conduct	Accept
02-5-1892	Warning	Professional Conduct	Accept
02-6-2249	***Revocation	Criminal Acts Professional Conduct	Accept

*****Voluntarily Surrendered Certificate Prior to Probable Cause Determination**

PSC ACTION: Approved

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

Case Number	Commission's Probable Cause Finding & Charges	Negotiated Proposal	EERC Recomm.
01-09-541	Suspension for Three Months Misrepresentation or Falsification Action Taken in Another State Abandonment of Contract	Suspension for One Month	Reject
00-11-737	Revocation Public Funds and Property	Revocation	Accept
02-01-1345	Suspension for One Year Public Funds and Property Professional Conduct	Suspension for Six Months	Accept
01-10-768	Suspension for One Week Professional Conduct	Reprimand	Reject
01-11-827	Suspension for One Year Alcohol or Drugs	Suspension for Six Months Monitoring for Two Years	Accept

PSC ACTION: Approved

6. The Educator Ethics Review Committee recommended approval of the *Preliminary Investigative Determination Report* consisting of 96 new complaints received during the months of July and August 2002:

PSC ACTION: Approved

7. The Educator Ethics Review Committee recommended approval of the *Extensions to Investigations Report* consisting of 276 cases.

PSC ACTION: Approved

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8. **STUDENT LOAN SUSPENSION / REINSTATEMENTS**

The Commission reviewed the report, which advised of 15 *Student Loan Reinstatements*.

9. **FINAL DECISIONS BY OPERATION OF RULE / LAW**

The Commission reviewed the report, which advised of 10 cases closed by rule and 4 by law without an appeal.

10. **APPLICATIONS FOR CERTIFICATION REPORT**

The Educator Ethics Review Committee recommended approval of 120 cases on the *Applications for Certification Report*.

PSC ACTION: Approved

11. **MONITORING**

The Commission reviewed the *Monitoring Report* which advised of 18 cases where educators are currently being monitored for misdemeanor criminal acts that are not crimes of moral turpitude. The Commission recommended to close these cases.

PSC ACTION: Approved

12. **OTHER BUSINESS**

MOTION: (Walker / Thomas) To go into Executive Session to discuss case # 02-3-1502 and allow PSC staff and PSC attorney (Kendall Kerew, Vicky Brantley, Cassandra Moore and Lisa Hartzler) to remain.

The Commission reconvened the Regular Session.

VI. **EXECUTIVE SECRETARY REPORT**

The Executive Secretary presented the following:

A. **Initiation of Rules** – (See Rules Packet).

Vicky Brantley, Director of Educator Ethics, presented Rules 505-6-.01, 505-6-.03, and 505-6-.09 for consideration of initiation.

MOTION: (Nutt / McClain) To initiate Rulemaking for Rules 505-6-.01, 505-6-.03, and 505-6-.09.

PSC ACTION: Approved

Fran Watkins, Director of Educator Preparation, presented Rule 505-3-.60 for consideration and initiation.

MOTION: (Gomez / Thomas) To initiate Rulemaking for Rule 505-3-.60.

PSC ACTION: Approved

Rick Eiserman, Director of Certification, presented Rules 505-2-.10 and 505-2-.19 for consideration and initiation.

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MOTION: (McClain / Hurley) To initiate Rulemaking for Rules 505-2-.10 and Rule 505-2-.19

PSC ACTION: Approved

B. An update was given on the progress of the changes in the Certification Department, i.e., Mitel phone installation, scanning documents into the database and the additional Information Specialists to answer the phones.

C. Rick Eiserman presented Proposed Rule Change Rationale, Paraprofessional Automated Certification (PAC) System and Added Certificate Credentials (See Educator Certification Discussion Items Packet).

D. Fran Watkins presented for discussion proposed new rules for ESOL Initial Programs and for Early Intervention Endorsement.

VII. CHAIR'S REPORT

The Chair, Amy Denty, presented the following:

A. Nominating Committee Report recommended Gary Walker for Vice Chair of the PSC.

MOTION: (Scott / Nutt) To approve Gary Walker as Vice Chair of the PSC.

ACTION: Approved

VIII. REVIEW HEARINGS

1. Maria Alexander Cuellar - Name of Person-Case #01-01-1044
Robin F. Clark - Hearing Officer
Kathryn Allen - PSC Attorney
Richard Taylor - Attorney

MOTION: (Sehgal / Thomas) To go into Executive Session and allow PSC staff and PSC Attorney (Kendall Kerew, Vicky Brantley, Cassandra Moore and Lisa Hartzler) to remain.

ACTION: Approved

The Commission reconvened the Regular Session.

MOTION: (Walker / Thomas) To adopt the Findings of Fact and Conclusions of Law reached by the Administrative Law Judge with the following changes. The deletion of the following language in the seventh paragraph of Section III.:

“but that Petitioner be allowed to re-apply for certification immediately upon the successful completion of and discharge from her probated sentence rather than being required to wait two years after the initial denial.

The deletion of the following language in the first paragraph of Section IV.:

“For all of the above and foregoing reasons, it is the recommendation of the undersigned that Petitioner’s

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application for certification as a school system educator in Georgia be denied and that Petitioner be allowed to re-apply for certification immediately upon successful completion of and discharge from her probated sentence.”

The Commission rejects Section IV. DECISION, of the Initial Decision of the Administrative Law Judge. The Commission concluded that in this particular case, based on a review of the record and based on the Professional Standards Commission rule 505-6-.02(1), the recommended sanction as written by the Administrative Law Judge does not require the applicant to Petition for the right to re-apply for certification. The Commission believes that a petition for reapplication is necessary in this case. The Commission ordered that the Respondent’s application be Denied and shall be effective August 9, 2002.

PSC ACTION: Approved

Opposed: McClain

IX. ADJOURNMENT

MOTION: (Nutt / Hurley) To adjourn the meeting.

PSC ACTION: The meeting adjourned at 12:20 pm.