

MINUTES

PROFESSIONAL STANDARDS COMMISSION

2 Peachtree Street
5th Floor, PSC Boardroom
Atlanta, Georgia
June 14, 2007

The Georgia Professional Standards Commission (PSC) met on Thursday, June 14, 2007, at 9 a.m.

Members Present

Sallie Bullock
Stephen Dartt
Jean Ebron
Mary Gomez

Pamela Greenway
Rose Powell
Dr. Craig Smith
Jeannie Tucker

Hester Vasconcelos
Dr. Wanda West
Dr. Debbie Wilkes

Members Absent

Gary Bechtel
Lee Muns
Dr. Louisa Moffitt

Maria Bradley
Dr. Holly Robinson

Dr. Mary Outlaw
Maria Miller

I. CALL TO ORDER

Chair Wilkes 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

Chair Wilkes recognized the visitors.

- Margaret Elliott, Professional Association of Georgia Educators
- Gayle Wooten, Professional Association of Georgia Educators
- Howard Stiller, Attorney
- Lori Ward-Rodgers, Twiggs County Public Schools
- Fran Swantic, Lincoln Memorial University
- Dan Murphy, Attorney

III. SERVICE AWARDS

Lonnie Wesley, an Imaging Forms Processor in the Certification division was presented with a 5 Year Service Award.

IV. ADOPTION OF AGENDA

Chair Wilkes called for approval of the agenda.

MOTION: (Greenway / West) To approve agenda.

PSC ACTION: Approved

V. APPROVAL OF MINUTES

Chair Wilkes called for approval of the minutes from the May 10, 2007, Commission meeting.

PSC ACTION: Approved

VI. COMMITTEE REPORTS

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

Commissioner Stephen Dartt, gave a preliminary review of the Cases.

1. Stephen Dartt reported that the Committee reviewed 60 **Probable Cause** cases during its June 13, 2007, meeting and brought the following recommendations on behalf of the Committee:

#	CASE #	STANDARDS VIOLATED	RECOMMENDATION
1	07-1-737	Criminal Acts	No Probable Cause
2	07-1-746	Criminal Acts	No Probable Cause
3	07-1-797	Misrepresentation or Falsification	Reprimand
4	07-1-814	Criminal Acts Misrepresentation or Falsification	Revocation
5	07-1-824	Criminal Acts	No Probable Cause
6	07-3-1060	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	Reprimand
7	07-3-1061	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	Reprimand
8	07-3-1062	Criminal Acts	No Probable Cause
9	07-3-1065	Criminal Acts	Reprimand
10	07-3-1096	Action Taken in Another State	Reprimand
11	07-5-1290	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	Reprimand
12	07-5-1299	Action Taken in Another State	Reprimand
13	06-8-203	Professional Conduct Other Good and Sufficient Cause	Revocation
14	06-10-415	Misrepresentation or Falsification Public Funds and Property Professional Conduct Other Good and Sufficient Cause	Suspension for Two Years
15	06-11-510	Criminal Acts Abuse of Students Professional Conduct	Extend Probable Cause Determination Pending Outcome of Criminal Case
16	07-1-706	Professional Conduct	Reprimand
17	07-1-727	Criminal Acts Misrepresentation or Falsification Professional Conduct	Revocation
18	07-1-837	Abuse of Students Professional Conduct	Reprimand
19	07-1-860	Criminal Acts Professional Conduct	Extend Probable Cause Determination Pending Outcome of Criminal Case

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#	CASE #	STANDARDS VIOLATED	RECOMMENDATION
20	07-1-866	Abandonment of Contract Professional Conduct	No Probable Cause
21	07-2-900	Misrepresentation or Falsification Professional Conduct	Suspend - 20 Contract Days
22	07-2-902	Public Funds and Property Professional Conduct	Suspend - 90 Contract Days
23	07-2-904	Confidential Information Professional Conduct State DOE Rule 160-3-1-.07	Suspend - 5 Contract Days
24	07-2-933	Misrepresentation or Falsification Professional Conduct	Suspend - 20 Contract Days
25	07-2-935	Public Funds and Property Professional Conduct	Suspend - 90 Contract Days
26	07-2-943	Alcohol or Drugs Professional Conduct	Suspension for One Year
27	07-2-953	Misrepresentation or Falsification	No Probable Cause
28	07-2-954	Misrepresentation or Falsification	No Probable Cause
29	07-2-979	Alcohol or Drugs Professional Conduct	Suspension for One Year
30	07-2-981	Abuse of Students Professional Conduct	Suspend - 20 Contract Days
31	07-2-983	Misrepresentation or Falsification Failure to Make a Required Report Action Taken in Another State	Suspend - 20 Contract Days
32	07-2-984	Misrepresentation or Falsification Failure to Make a Required Report	Suspend - 20 Contract Days
33	07-2-985	Abuse of Students Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct Action Taken in Another State	Suspend - 90 Contract Days
34	07-2-986	Abuse of Students Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct Action Taken in Another State O.C.G.A. 20-3-295	Revocation
35	07-2-993	Abuse of Students Professional Conduct	Suspend - 5 Contract Days
36	07-3-998	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	Reprimand
37	07-3-1001	Misrepresentation or Falsification Professional Conduct	Suspend - 90 Contract Days
38	07-3-1020	Criminal Acts Failure to Make a Required Report Professional Conduct	Suspension for One Year
39	07-3-1025	Professional Conduct	Reprimand
40	07-3-1027	Professional Conduct	Suspend - 5 Contract Days
41	07-3-1028	Criminal Acts Abuse of Students Professional Conduct Other Good and Sufficient Cause	Extend Probable Cause Determination Pending Outcome of Criminal Case

#	CASE #	STANDARDS VIOLATED	RECOMMENDATION
42	07-3-1032	Public Funds and Property Confidential Information Professional Conduct	Reprimand
43	07-3-1033	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	No Probable Cause
44	07-3-1051	Abuse of Students Professional Conduct	Revocation
45	07-3-1055	Criminal Acts Misrepresentation or Falsification	Suspend - 90 Contract Days
46	07-3-1056	Alcohol or Drugs Professional Conduct	Suspension for Two Years
47	07-3-1079	Public Funds and Property Professional Conduct	Suspension for One Year
48	07-3-1085	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	Reprimand
49	07-3-1103	Abuse of Students Professional Conduct	Revocation
50	07-3-1106	Abandonment of Contract	No Probable Cause
51	07-3-1107	Abuse of Students Professional Conduct	Suspension for Two Years
52	07-3-1109	Alcohol or Drugs Professional Conduct	Suspension for One Year
53	07-3-1110	Misrepresentation or Falsification Professional Conduct DOE Rule 160-3-1-.07	Suspend - 90 Contract Days
54	07-3-1111	Misrepresentation or Falsification Professional Conduct	Suspend - 45 Contract Days
55	07-3-1112	Abuse of Students Professional Conduct	Reprimand
56	07-3-1114	Abuse of Students Misrepresentation or Falsification Failure to Make a Required Report Professional Conduct	Revocation
57	07-4-1117	Abuse of Students Professional Conduct	Revocation
58	07-4-1121	Alcohol or Drugs Professional Conduct	Suspension for One Year
59	07-4-1128	Abuse of Students	No Probable Cause
60	07-4-1167	Criminal Acts Misrepresentation or Falsification Failure to Make a Required Report	Reprimand

PSC ACTION: Approved

Abstention: Dr. Wanda West cases 07-2-953 and 07-2-954

2. Stephen Dartt reported that the Educator Ethics Review Committee reviewed 5 ***Initial Decisions*** and brought the following recommendations on behalf of the Committee excluding case # 05-11-628:

CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	ADMINISTRATIVE LAW JUDGE SANCTION	RECOMMENDATION
04-3-1378	Professional Conduct	Reprimand	Monitoring - One Year	Accept
05-11-562	Abuse of Students Public Funds and Property Professional Conduct	Suspend - 90 Contract Days	Suspend - 90 Contract Days	Accept
05-11-628	Alcohol or Drugs Professional Conduct	Suspend - 90 Contract Days	Suspend - 5 Contract Days	Accept
05-12-737	Criminal Acts Professional Conduct	Denial	Denial	Accept
06-2-891	Professional Conduct	Revocation	Revocation	Accept

PSC ACTION: Approved

Case # 05-11-628

MOTION: (Tucker / Ebron) To accept the EERC recommendation to accept the Administrative Law Judges recommendation for a 5 Contract Day Suspension.

ACTION: Approved

Opposed: Stephen Dartt, Dr. Craig Smith

3. Stephen Dartt reported that the Educator Ethics Review Committee reviewed 2 ***Petitions Issues*** and brought the following recommendations on behalf of the Committee:

CASE NUMBER	REQUEST	PREVIOUS SANCTION	PREVIOUS VIOLATION	RECOMMENDATION
06-11-503	Right to Reapply	Denial - 9/17/2004	Misrepresentation and Falsification Professional Conduct	Deny
07-4-1194	Right to Reapply	Revocation - 05/14/2004	Misrepresentation and Falsification Professional Conduct	Deny

PSC ACTION: Approved

4. Stephen Dartt reported that the Educator Ethics Review Committee reviewed 15 ***Settlement Agreements*** and brought the following recommendations on behalf of the Committee:

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#	CASE NUMBER	SANCTION	RECOMMENDATION
1	06-5-1261	Suspension for 20 Contract Days Aug. 6, 2007 - Aug. 31, 2007	Accept
2	06-8-171	Reprimand	Accept
3	06-8-193	Suspension for 5 Contact Days Oct. 1, 2007 - Oct. 5, 2007	Accept
4	06-10-411	Suspension for 1 Year June 29, 2007 - June 29, 2008	Accept
5	07-1-748	Suspension for 1 Year June 29, 2007 - June 29, 2008	Accept
6	07-1-750	Suspension for 5 Contact Days Jan. 11, 2007 - Jan. 18, 2007 (Retroactive)	Accept
7	07-1-772	Reprimand	Accept
8	07-1-809	Reprimand	Accept
9	07-1-835	Reprimand	Accept
10	07-2-898	Reprimand	Accept
11	07-2-913	Reprimand	Accept
12	07-2-922	Reprimand	Accept
13	07-2-973	Reprimand	Accept
14	07-2-975	Suspension for 90 Contract Days Aug. 6, 2007 - Dec. 14, 2007	Accept
15	07-3-1035	Reprimand	Accept

PSC ACTION: Approved

Abstention: Sallie Bullock – Case # 07-2-975

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

CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION	RECOMMENDATION
04-3-1384	Misrepresentation or Falsification Public Funds and Property Professional Conduct	Suspension for Six Months	Suspension for Three Months	Accept
04-7-14	Professional Conduct	Reprimand	No Probable Cause	Reject
04-9-411	Alcohol or Drugs Professional Conduct	Revocation	Suspension for Two Years	Accept
04-10-572	Misrepresentation or Falsification Professional Conduct	Suspension for Two Years	Suspension for One Year	Accept
05-1-999	Criminal Acts Professional Conduct	Suspension for One Year	Reprimand	Accept

CASE NUMBER	STANDARDS VIOLATED	PROBABLE CAUSE SANCTION	NEGOTIATED SANCTION	RECOMMEN-DATION
06-3-984	Criminal Acts Abuse of Students Professional Conduct	Revocation	Revocation	Accept
06-4-1149	Criminal Acts Alcohol or Drugs Professional Conduct	Suspension for One Year	Suspension for Six Months	Accept
06-6-1397	Confidential Information Professional Conduct	Suspension for 20 Contract Days	Suspension for 5 Contract Days	Accept
06-6-1469	Misrepresentation or Falsification Failure to Make a Required Report	Suspension for One Year	Reprimand	Accept
06-9-255	Professional Conduct	Reprimand	No Probable Cause	Reject
06-9-256	Professional Conduct	Reprimand	No Probable Cause	Reject
06-9-257	Professional Conduct	Reprimand	No Probable Cause	Reject
06-10-316	Criminal Acts Professional Conduct	Reprimand	Warning	Accept
06-10-358	Professional Conduct	Suspension for 20 Contract Days	Suspension for 20 Contract Days (Time Served)	Accept

PSC ACTION: Approved

Abstention: Jean Ebron – Case # 06-6-1397

6. Stephen Dartt reported that the Educator Ethics Review Committee reviewed 5 ***Voluntary Surrender/Voluntary Denial*** and brought the following recommendation on behalf of the Committee:

CASE NUMBER	SANCTION	STANDARDS VIOLATED	RECOMM.
07-2-923	Revocation	Criminal Acts Professional Conduct	Accept
07-3-1081	Revocation	Criminal Acts Abuse of Students Professional Conduct	Accept
07-4-1191	Revocation	Public Funds and Property Professional Conduct	Accept
07-4-1192	Revocation	Public Funds and Property Professional Conduct	Accept
07-6-1352	Revocation	Criminal Acts Professional Conduct	Accept

PSC ACTION: Approved

7. The Educator Ethics Review Committee recommended approval of the ***Preliminary Investigative Determination Report*** consisting of 125 new complaints received during the months of May and June 2007. This excludes case #07-5-1330.

PSC ACTION: Approved

Case # 07-5-1330

MOTION: (Vasconcelos / West) To accept the EERC recommendation for a No Probable Cause to investigate.

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ACTION: Approved

8. EXTENSIONS – PRELIMINARY INVESTIGATIVE DETERMINATIONS

The Educator Ethics Review Committee recommended approval of the 54 Extensions - Preliminary Investigative Determinations consisting of the following:

CASE #	Complaint Received	CASE #	Complaint Received
07-5-1241	4/30/2007	07-5-1260	5/7/2007
07-5-1242	4/30/2007	07-5-1261	5/7/2007
07-5-1243	5/2/2007	07-5-1262	5/7/2007
07-5-1244	5/2/2007	07-5-1263	5/7/2007
07-5-1245	5/3/2007	07-5-1264	5/7/2007
07-5-1246	5/4/2007	07-5-1265	5/7/2007
07-5-1247	5/4/2007	07-5-1266	5/7/2007
07-5-1248	5/4/2007	07-5-1267	5/7/2007
07-5-1249	5/4/2007	07-5-1275	5/9/2007
07-5-1250	5/4/2007	07-5-1276	5/9/2007
07-5-1253	5/4/2007	07-5-1277	5/10/2007
07-5-1254	5/4/2007	07-5-1278	5/10/2007
07-5-1255	5/4/2007	07-5-1279	5/11/2007
07-5-1256	5/4/2007	07-5-1280	5/11/2007
07-5-1257	5/7/2007	07-5-1281	5/11/2007
07-5-1258	5/7/2007	07-5-1282	5/11/2007
07-5-1259	5/7/2007	07-5-1283	5/11/2007
07-5-1260	5/7/2007	07-5-1284	5/11/2007
07-5-1261	5/7/2007	07-5-1285	5/11/2007
07-5-1262	5/7/2007	07-5-1286	5/11/2007
07-5-1263	5/7/2007	07-5-1287	5/11/2007
07-5-1264	5/7/2007	07-5-1289	5/11/2007
07-5-1265	5/7/2007	07-5-1301	5/11/2007
07-5-1266	5/7/2007	07-5-1302	5/11/2007
07-5-1267	5/7/2007	07-5-1303	5/14/2007
07-5-1258	5/7/2007	07-5-1304	5/14/2007
07-5-1259	5/7/2007	07-5-1305	5/14/2007
07-5-1268	5/7/2007	07-5-1306	5/14/2007
07-5-1269	5/7/2007	07-5-1314	5/11/2007
07-5-1275	5/7/2007	07-5-1315	5/11/2007
07-5-1268	5/7/2007	07-5-1316	5/11/2007
07-5-1269	5/7/2007	07-5-1317	5/11/2007

PSC ACTION: Approved

9. EXTENSIONS - INVESTIGATIONS

The Educator Ethics Review Committee recommended granting and *Investigative Extension* to the following 66 Written Complaint Extensions and 15 Application Extensions cases:

WRITTEN COMPLAINT EXTENSIONS:

07-3-1108	07-2-972	07-3-1038	07-1-849	07-4-1201	07-2-934	07-4-1166
07-4-1122	07-3-1023	07-4-1174	07-2-971	07-4-1202	07-2-976	07-4-1185
07-4-1170	07-3-1100	07-4-1182	07-3-1022	06-11-500	07-2-994	07-4-1195
07-4-1181	07-4-1116	07-4-1183	07-3-1084	06-11-505	07-3-1000	07-4-1205
07-4-1199	07-4-1129	07-4-1184	07-3-1115	07-1-679	07-3-1026	07-5-1206
07-4-1203	07-4-1176	07-5-1207	07-4-1130	07-1-683	07-3-1037	07-5-1209
07-5-1211	07-4-1177	07-5-1221	07-4-1169	07-1-749	07-3-1101	
06-5-1243	07-4-1200	06-11-542	07-4-1173	07-1-836	07-3-1105	
06-11-447	07-3-997	07-1-754	07-4-1178	07-1-844	07-3-1113	
06-11-448	07-3-999	07-1-838	07-4-1197	07-2-918	07-4-1118	

APPLICATION CASE EXTENSIONS:

07-1-816	07-5-1294
07-1-817	07-5-1295
07-3-1069	07-5-1296
07-3-1071	07-5-1297
07-3-1094	07-5-1298
07-4-1180	07-5-1300
07-4-1190	07-5-1312
07-5-1291	

PSC ACTION: Approved**10. APPLICATIONS FOR CERTIFICATION REPORT**

The Educator Ethics Review Committee recommended to approve a no probable cause determination on 13 cases reflected on the *Applications for Certification Report*.

PSC ACTION: Approved**11. REVIEW HEARING EXTENSIONS**

The Commission reviewed the *Review Hearing Extensions Report* concerning 5 hearing cases. An Administrative Law Judge rendered Initial Decisions on each case referenced in the report. The report indicates Orders were issued.

PSC ACTION: Approved

12. STUDENT LOAN SUSPENSION / REINSTATEMENTS

The Commission reviewed the report, which indicated that there were 12 certificates suspended from May 10, 2007 through June 14, 2007. There were 14 certificates that had been **reinstated** because restitution is now being made on those student loans. The Committee was also advised that there were 8 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 13 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.

VII. REVIEW HEARINGS

1. Charles Williams - Educator (Case #06-4-1186)
Wayne Magnum - Hearing Officer
Calandra Almond - PSC Attorney
Howard Stiller - Attorney

MOTION: (Vasconcelos / West) To go into Executive Session and allow PSC staff and attorney (Gary Walker, Tanis Miller, Lisa Hartzler, Cassandra Moore and Penny Hannah) to remain.

ACTION: Approved

MOTION: (Smith / West) To come out of Executive Session and reconvene the Regular Session.

ACTION: Approved

MOTION: (Greenway / Ebron) To adopt the Findings of Fact and Conclusions of Law reached by the Administrative Law Judge. The Decision of the Administrative Law Judge as indicated in the Initial Decision was hereby adopted and incorporated by reference herein and made the Final Decision of the Commission with the following specification. The Commission hereby ORDERED that the Georgia educator certificate held by Charles G. Williams be Revoked effective June 14, 2007.

PSC ACTION: Approved

VIII. EXECUTIVE SECRETARY REPORT

A. Certification and Educator Preparation Rules

Mr. Rick Eiserman presented the Certification rules to the commission.

MOTION: (Greenway / Bullock) To amend the current rules in Chapter 505-2 (Certification), effective July 15, 2007, as follows: 505-2-.05, 505-2-.06, 505-2-.10, 505-2-.18, 505-2-.25, 505-2-.37, 505-2-.96, 505-2-.116, 505-2-.151, 505-2-.170, 505-2-.204, 505-2-.205 and 505-2-.206; (2) adopt new rules in Chapter 505-2 (Certification), effective July 15, 2007, as follows: 505-2-.125.

ACTION: Approved

Opposed: Stephen Dartt

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Dr. Fran Watkins presented the Educator Preparation rules to the commission.

MOTION: (Smith / Powell) To amend the current rules in Chapter 505-3 (Educator Preparation), effective July 15, 2007, as follows: 505-3-.12, 505-3-.64 and 505-3-.78.

ACTION: Approved

B. The Office of Planning and Budget will allow commissioners to have their choice of receiving their travel reimbursement by check or direct deposit. An authorization agreement for electronic funds transfer for travel form was given to all commissioners.

C. Dr. Toth spoke about the Professional Standards Commission's reorganization and gave the commissioners a copy of the re-organizational charts. He stated that the Professional Standards Commission is a Regulatory Agency charged with establishing and enforcing standards for Educator Preparation, Certification and Professional Conduct. The purpose of the Professional Standards Commission is to provide a pool of qualified educators to serve the children of Georgia. He also spoke about three new positions for recruiters that have been created.

IX. CHAIR REPORT

Dr. Wilkes presented the following:

A. Dr. Wilkes, Maria Bradley and Rose Powell attended the National Association of State Directors of Teacher Educational and Certification (NASDTEC) conference held in Salt Lake City, Utah. One of the sessions held featured Mark Tucker from the National Center on Education and the Economy who spoke on their recent report titled "Tough Choices, Tough Times". This report was given to all the commissioners. Dr. Wilkes felt that it was a valuable report and indicated that she would like to discuss it at the November commission meeting, which will be held in Brasstown. Rose Powell also spoke briefly about the conference and expressed her gratitude for having the opportunity to attend.

B. Maria Bradley has been chosen to serve on Johnny Isaakson's Education Commission.

C. Hester Vasconcelos spoke briefly about Salamanca University, which is located in Spain. Professors from Salamanca University will be offering a Masters degree in Spanish Pedagogy this summer in Georgia.

X. ADJOURNMENT

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

PSC ACTION: Approved