

**New York State Education Department  
Office of Teaching Initiatives**

**Professional Standards and Practices Board  
Professional Practices Subcommittee**

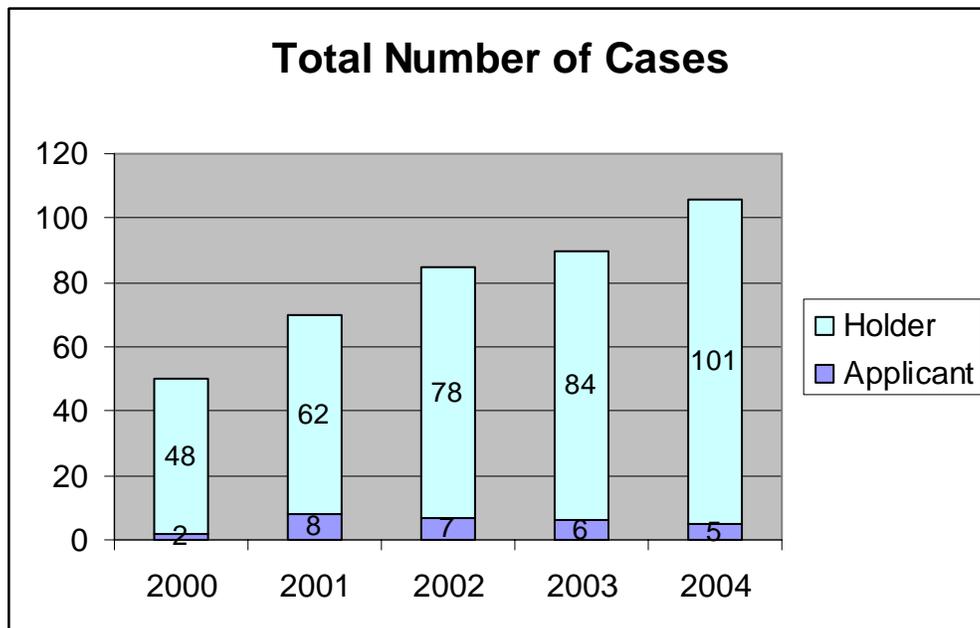
**Annual Report  
November 2005**

**Presented by:  
Deborah A. Marriott**

# PSPB Board Year 2000-2001 through 2004-2005 A Five-Year Analysis

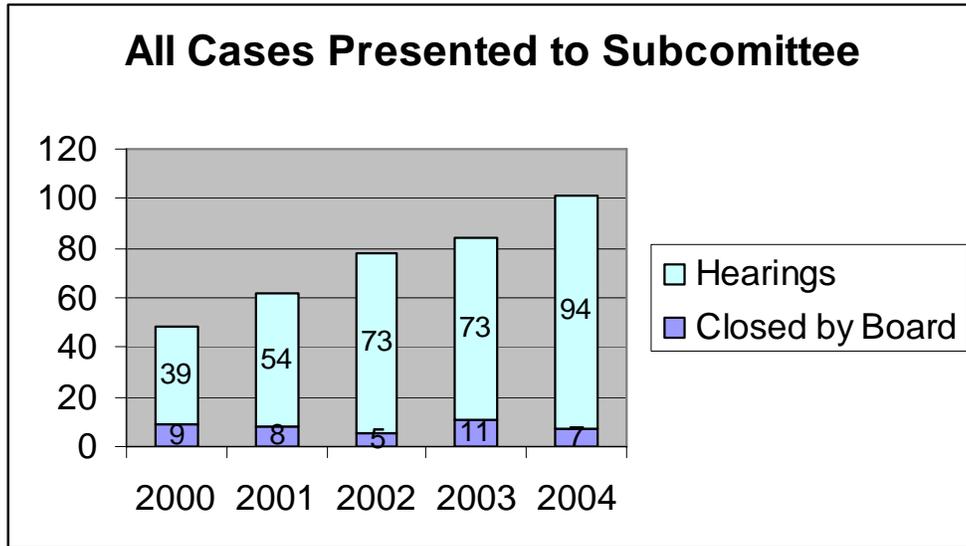
Over the past five years, there has been a tremendous growth in the number brought to the subcommittee for consideration of whether the individual has the requisite moral character to possess a teacher or administrator certificate in New York State. This report will provide a five-year analysis of the number of cases considered; the types of cases considered; and a discussion of the outcomes of these cases.

Number of Cases:	373
Number of Cases Settled Pre-Board:	<u>28</u>
<b>Total Number of cases:</b>	<b>401</b>

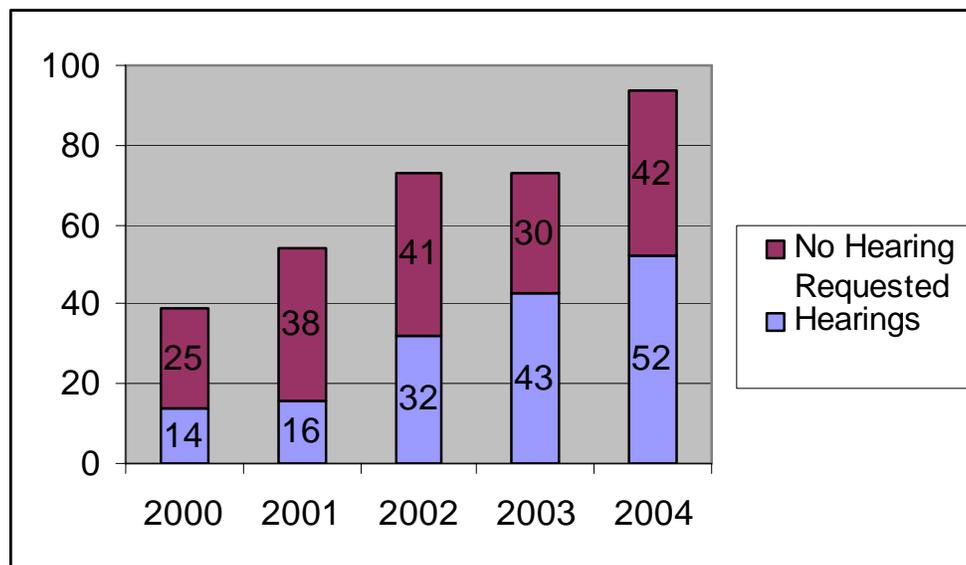


# Subcommittee Activity

- The subcommittee has been considering an ever-increasing number of cases. The caseload for the subcommittee has more than doubled since 2000.

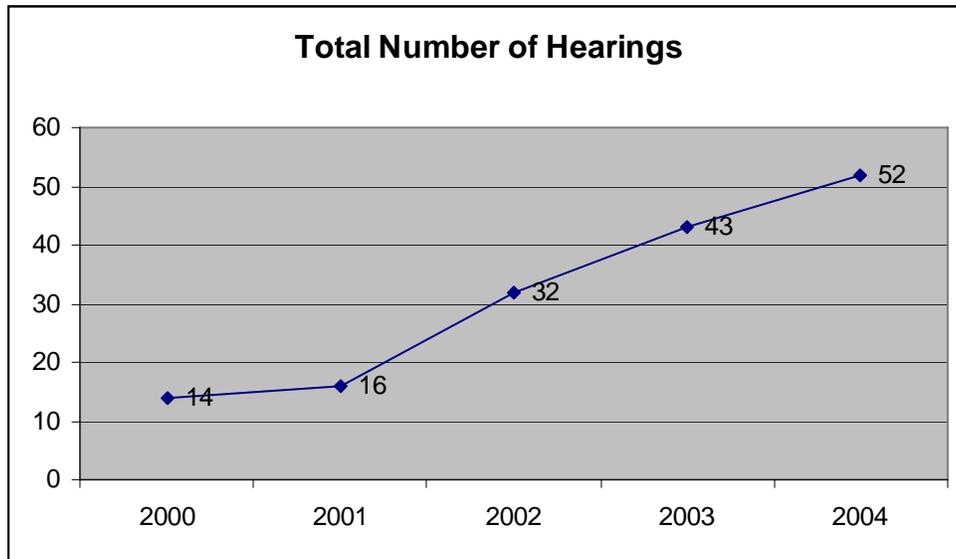


- Of the cases presented to the subcommittee, where the subcommittee has recommended a hearing, hearings are actually held in approximately 57% of the cases. This represents a 20% increase since 2000.



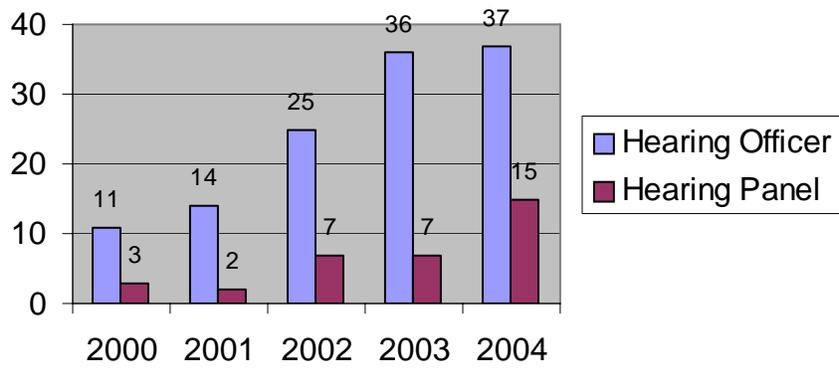
# Hearing Information

- There has been an almost four-fold increase in the number of hearings handled by OSPRA since 2000. In 2000, there were only 14 hearings. In 2004, there were 52 (as of the date of this report). There are many cases still in progress that may change this number.



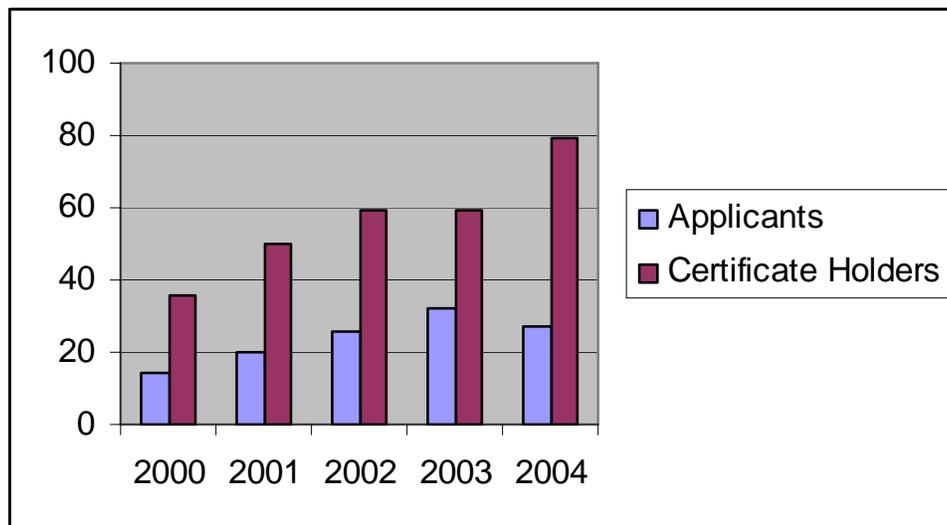
- Similarly, OSPRA office is experiencing a tremendous increase in the number of cases where panels are requested. This increase is significant due to the fact that panel hearings are more expensive, more cumbersome and take significantly longer to resolve. The following chart represents a breakdown in the number of hearings by hearing officer versus hearing panel.

### Hearing Officer v. Hearing Panel



## Applicant vs. Certificate Holders

- Since 2000, there has been an increase in the number of cases brought against both certificate holders and applicants. Among the factors to account for this increase are: heightened awareness of appropriate boundaries, better reporting by school districts, increased awareness in law enforcement officials; and fingerprinting. The next chart represents the breakdown of applicants versus certificate holders:



# Case Type Breakdown

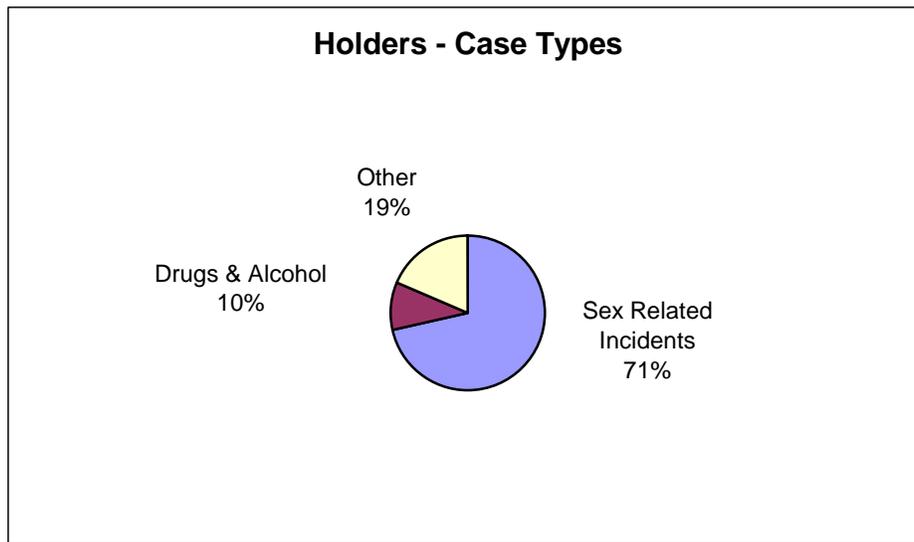
## Certificate Holders and Applicants

- The types of behavior that can constitute a substantial question of moral character are wide and varied, however, the following chart demonstrates that the vast majority of cases considered by OSPRA and the subcommittee involve inappropriate relationships and sex related incidents, and drug and alcohol problems.

Arson	1
Assault	10
Child Porn	16
Disorderly Conduct	0
Drug Possession	32
Drug Sale	29
DWI	5
Endangering	32
Harassment	3
Larceny	34
Lewdness	14
Manslaughter	6
Murder	1
Other Felony	9
Other Misdemeanor	3
Robbery	9
Sexual Crime - Adult Victim	4
Sexual Crime - Minor Victim	61
Certificate Fraud	9
Corporal Punishment/Physical Abuse	2
Drugs/Alcohol	4
Inappropriate Relationship	81
Other	1
Other Employment	2
Pornography	10
Sexual Harassment	7
School Theft	3
Test Fraud	11
Verbal Abuse	2
	401

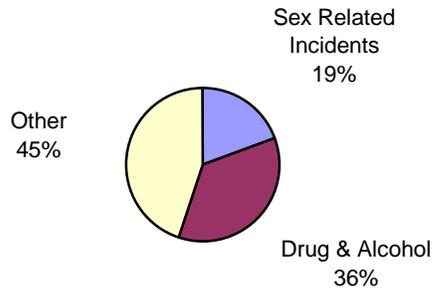
# Case Type Breakdown Certificate Holder vs. Applicant

- A further analysis of the case types demonstrates that a significant number of the cases involving certificate holders involve sex related incidents, including, sex crimes, inappropriate relationships with students, child pornography, pornography on school computers, lewdness and sexual harassment. This demonstrates that OSPRA's and the Subcommittee's focus on certified individuals, is for the most part focused on only the most egregious types of educator misconduct.



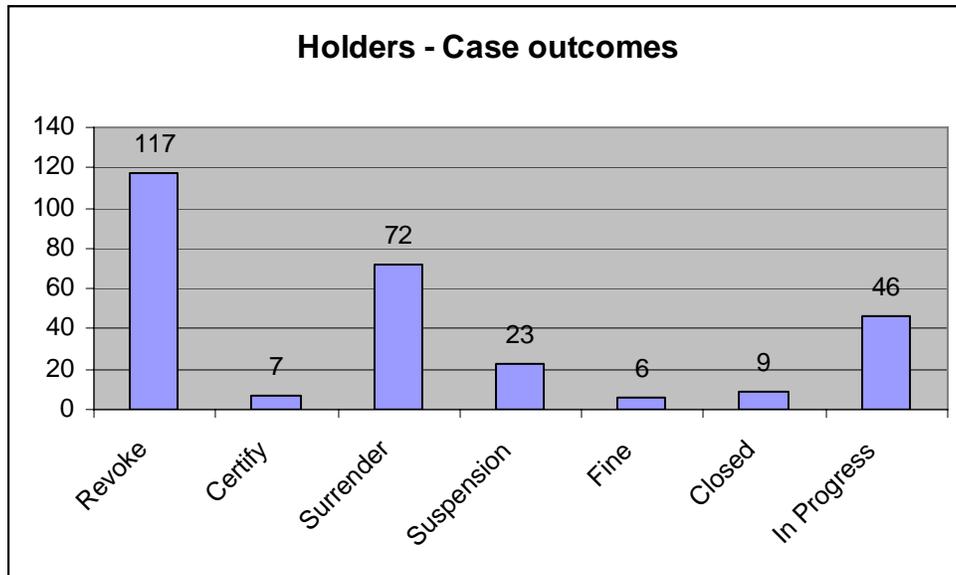
- For applicants, the breakdown of cases is significantly different. It is clear that individuals with sex-related incidents are for the most part, not applying to become a certified educator. Many of these individuals have alcohol and drug related incidents in their past discovered through the fingerprinting process.

### Applicants - Case Types



# Case Outcomes

- The vast majority of cases where charges are brought against a certificate holder result in loss of certification, either through surrender or revocation.



- The 5-year total case outcomes for applicants reflect a more balanced division among outcomes. The outcomes are more evenly balanced between certify and deny (many of the denials and all of the closed files are a result of the individual's abandonment of his or her certification application).

