

Cheating scandal haunts reinstated Atlanta teachers

By admin 12/07/2013 22:03:00

ATLANTA—First-grade teacher Joya Florence thought she was done with Atlanta's cheating scandal after the school system put her back in the classroom and prosecutors granted her immunity.

She was wrong. Accusations of cheating continue to follow her and threaten her livelihood.

Florence is one of 14 teachers who might lose their teaching licenses even though Atlanta Public Schools reinstated them after investigations into cheating. The Georgia Professional Standards Commission last month recommended that her teaching certification be suspended for two years, but she's able to teach while her case is under appeal.

"This is an unending nightmare. Every time I feel like I'm getting a little peace and moving forward, a little serenity, something else comes up that I have to deal with," Florence said. "I'm back where I started." The district reinstated 21 educators. Besides the 14 educators who were reinstated and still face PSC sanctions, the agency found no probable cause to move forward against five others who were reinstated. The cases of two more reinstated educators remain under investigation.

None of the 21 reinstated educators is among the 35 people facing criminal charges related to cheating.

An attorney for two other reinstated teachers appealing certification suspensions, Mel Goldstein, said their teaching careers shouldn't be ruined after they were successful in winning their jobs back.

"Our clients won't think it's fair if any of that does proceed to happen, but in the end I think the PSC and their attorneys will deal with us in a reasonable fashion," Goldstein said.

In all, a 2011 state investigation said 178 educators were involved in widespread sheeting to artificially inflate standardized test scores.

That investigation was the key evidence in the Atlanta school district's dismissal hearings and the PSC's certification recommendations, but their conclusions about Florence clashed.

The school district last summer determined there was insufficient evidence against her, according to a letter from Superintendent Erroll Davis. She previously taught at Finch Elementary and transferred to Dunbar Elementary after her reinstatement.

When Florence returned to teaching last fall after spending a year on administrative leave with pay, she said she was welcomed by the staff at Dunbar.

But the PSC cited high numbers of wrong-to-right erasures when it sought Florence's license suspension, according to its June 21 order provided by her attorney.

"We might have different evidence than a school district might have had, we might have different witnesses, and the judges might be different," said Kelly Henson, executive secretary for the PSC. "The cases are completely separate and really have no bearing on each other." Florence's attorney, Quinton Washington, said Florence followed protocols when erasing stray marks in students' answer booklets. She didn't change answers or have access to an answer key, he said.

Washington said the state's lawyers should drop Florence's case because the Atlanta school district renewed her teaching contract.

"It's our hope that the PSC would use that as proof positive that they want her to teach in Atlanta Public Schools and dismiss her certificate action," Washington said.

Florence, who has been a teacher for 11 years, denied that she changed students' test answers or saw other teachers change answers on the 2009 Criterion-Referenced Competency Test.

State investigators said in their report on cheating that Florence became emotional when told the evidence suggested test answers had been changed. The investigation said the statistical improbability of having so many erasures and inconsistent testimony led them to conclude that Florence and eight other educators at Finch Elementary participated in cheating.

"It's very unfair," said Florence, who takes care of her 6-year-old son and mother. "I feel like if I was cleared, if everything was reinstated, then all parties should be on the same page. I should not have to go through with fighting for my license. That's my livelihood." The attorney general's office will handle appeals of PSC recommendations after Fulton County District Attorney Paul Howard's office hands over its evidence.

Goldstein and Washington said they will ask the attorney general's office to dismiss certification actions against their clients rather than move forward with appeal hearings before an administrative law judge. "It's a strong case for us because not many people were

exonerated or put back to work. That's something the Professional Standards Commission will hopefully look at very carefully," Goldstein said.

In the criminal case, Florence was included on the witness list, but she probably won't be asked to testify because she doesn't have any information about cheating, Washington said.

By Mark Niese

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