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# 4C

## Information

### *Professional Practices Committee*

### **Workload Report Regarding the BSA Audit Recommendations**

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**Executive Summary:** This agenda item provides an update to the Commission on the April 7, 2011 Bureau of State Audits' Audit of the Division of Professional Practices (DPP); the Commission's response to the Audit as well as an update on staff progress in addressing the recommendations; and a report on DPP's current workload.

**Recommended Action:** For information only

**Presenter:** Nanette Rufo, Director, Division of Professional Practices

**Strategic Plan Goal: 1**

**Promote educational excellence through the preparation and certification of professional educators**

- ◆ Evaluate and monitor the moral fitness of credential applicants and holders and take appropriate action

March 2012

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# Workload Report Regarding the BSA Audit Recommendations

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## Introduction

This agenda item provides an update to the Commission on the April 7, 2011 Bureau of State Audits' Audit of the Division of Professional Practices (DPP) and of the Office of Human Resources, and also provides the Commission's responses to the Audit recommendations. This agenda item presents the January 2012 DPP workload reports. The February reports will be posted once they are available.

## Audit Update

On April 7, 2011 the California State Auditor issued a report entitled "*Despite Delays in Discipline of Teacher Misconduct, the Division of Professional Practices has not Developed an Adequate Strategy or Implemented Processes That Will Safeguard Against Future Backlogs*". The audit identified eleven recommendations. The initial update was presented to the Commission at the June 2011 Meeting (<http://www.ctc.ca.gov/commission/agendas/2011-06/2011-06-2H.pdf>).

On Monday, June 6, 2011 the required sixty day response was submitted to the Bureau of State Audits (BSA), followed by the six month report on October 5, 2011. On October 7, 2011, CTC management staff met with representatives of the BSA to discuss the report and to respond to any questions from the auditors. According to BSA staff, that office will submit a report to the Legislature in February 2012. That means that information going to the Legislature in February 2012 will be based on the six-month-report. Information from the one-year-report that CTC will submit to BSA will then be included in BSA's February 2013 report to the Legislature.

As part of the response to the audit, staff scheduled two meetings for stakeholders. A stakeholder planning group was formed with five groups to assist in the planning process, the California Teachers Association (CTA), California Federation of Teachers (CFT), the California School Boards Association (CSBA), the Association of California School Administrators (ACSA), and the California County Superintendents Educational Services Association (CCSESA). The meetings were held on October 28, 2011 and November 18, 2011. A report on the stakeholder meetings was presented to the Commission at the January 2012 Meeting <http://www.ctc.ca.gov/commission/agendas/2012-01/2012-01-4C.pdf>.

Attached as an appendix is a list of the specific recommendations of the BSA. Staff will provide an update on each recommendation at the March Commission meeting.

## DPP Workload Update

The DPP Monthly Activity Summary report provides additional information on DPP's workload. These reports include a detailed look at the COC workload including all Open Cases by Status and Type (Chart 1); monthly RAPs Received and Processed (Chart 2); and a report on the Closed Cases (Chart 3); Charts 4a and 4b on the aging of cases; and a chart showing the number and types of cases considered by the COC through January 2012 (Chart 5).

The workload shown in Chart 1, is organized by cases preparing to go to the COC in blue, cases that are currently in the COC review phase in yellow and cases that are post-COC review in green. As staff continue to make progress and gain efficiencies in the area of identifying and processing pre-COC cases, the COC workload is likely to continue to grow as there are only a finite number of cases that can be heard by the COC each month.

**December 2011 Commission Policy**

During the December 2011 meeting, the Commission adopted a policy that called for the flagging of cases in which the respondent’s credentials were expired and the individual had no applications pending. The exceptions to this rule included cases involving allegations of sexual misconduct, crimes against children and reports filed by school districts and other licensing agencies.

As a result of the above policy, DPP staff began flagging new cases under this policy. (The “flagging” mechanism will redirect any future new applications to DPP and cause the flagged cases to be reviewed by the Committee and/or the Commission should the case warrant that type of review.) In addition, staff closed over 200 existing cases that fell within the scope of the policy decision.

Chart 1:

### DPP Monthly Activity Summary

#### Activity During January 2012

##### Pre COC

| Work Received in DPP |  | Items Rec'd  | Cases Opened |
|----------------------|--|--------------|--------------|
| RAPs                 |  | 489          | 140          |
| Apps                 |  | 1,068        | 201          |
| SD Reports *         |  | 37           | 4            |
| Misc *               |  | 3            | 6            |
| <b>Total</b>         |  | <b>1,597</b> | <b>351</b>   |

\* Work related to cases opened may have been received in a prior period

##### Document Requests

|        |     |
|--------|-----|
| Arrest | 165 |
| Court  | 354 |

##### COC Inventory

|                |     |
|----------------|-----|
| Initial Review | 64  |
| Formal Review  | 42  |
| Consent Review | 236 |

##### COC Work Completed (January 2012)

|                 |     |
|-----------------|-----|
| Cases to COC    |     |
| Initial Review  | 64  |
| Formal Review   | 45  |
| Reconsideration | 4   |
| Consent Review  | 291 |
| Cases Completed |     |
| Closed          | 155 |
| Granted         | 156 |
| Adverse Actions | 40  |

##### Post COC

|            |   |
|------------|---|
| Settlement | 3 |
| AG         | 2 |
| CTC        | 0 |

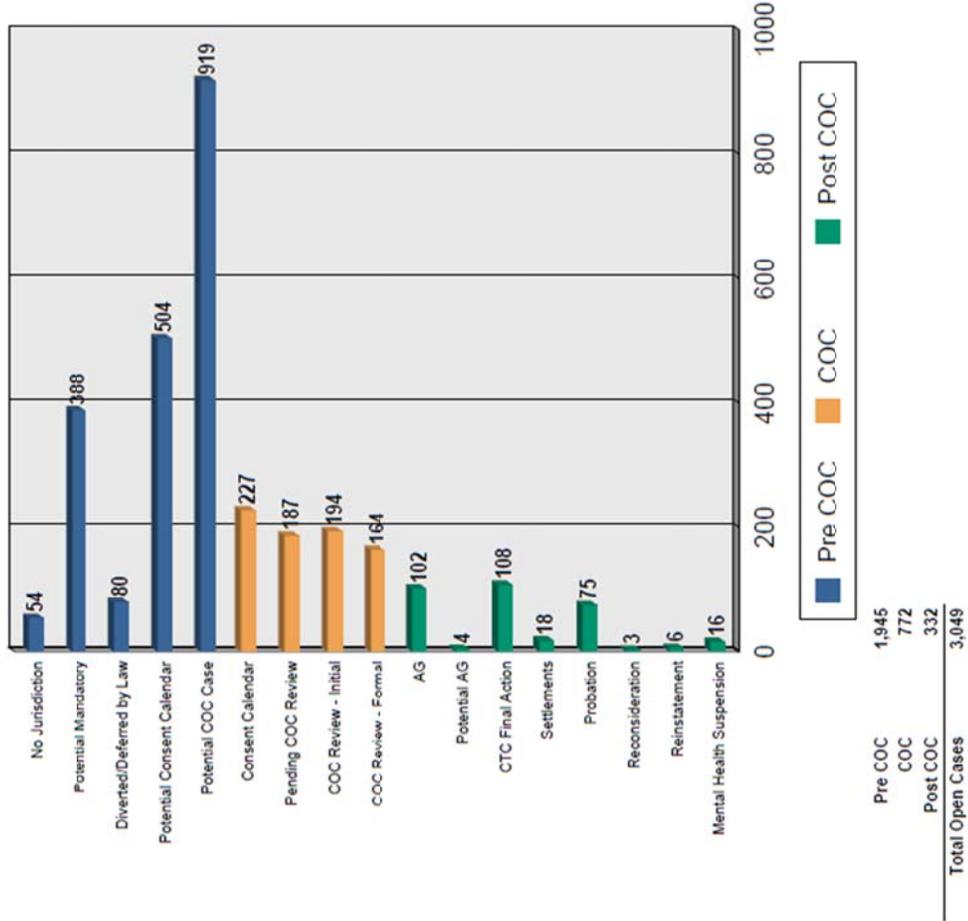
##### Mandatory Actions

|                       |    |
|-----------------------|----|
| Revocations           | 13 |
| Denials               | 2  |
| Automatic Suspensions | 10 |

##### Inventory for January 2012

|                    |       |
|--------------------|-------|
| Starting Case Load | 3,338 |
| Cases Opened       | 351   |
| Cases Closed       | 640   |
| Ending Case Load   | 3,049 |

Open Cases by Status and Type as of January 31, 2012



DPP Monthly Commission Summary Report for January 2012

Chart 2 shows all RAP sheets received in the month of January 2012. This report now presents the workload in a sequential organization with the yellow rows showing the RAPs that do not lead to a case, the red rows are the RAPs which are affiliated with an existing case and the green rows show the RAPs that lead to a new case. The labels for the rows in this report were also modified to more clearly describe the type of category of RAPs received.

**Chart 2:**

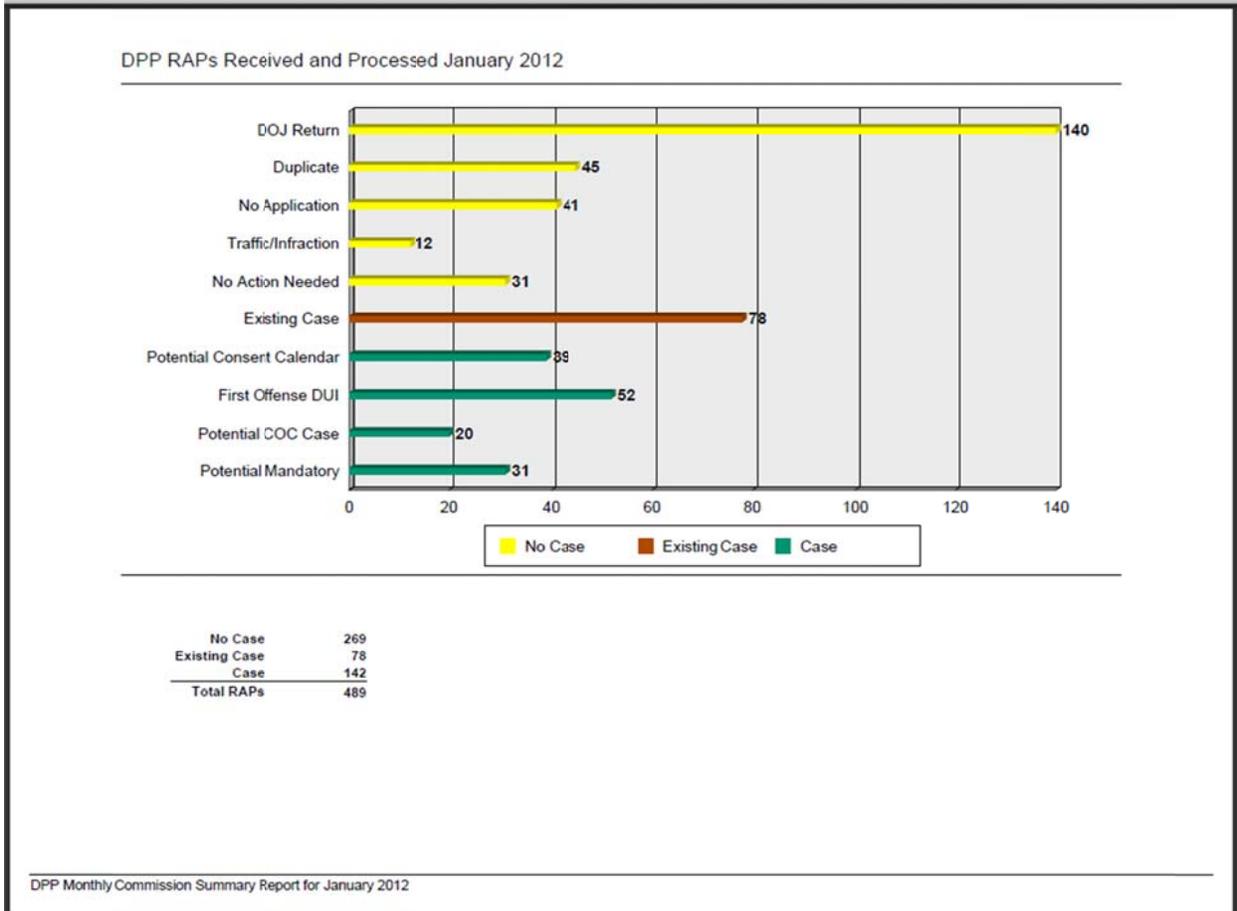
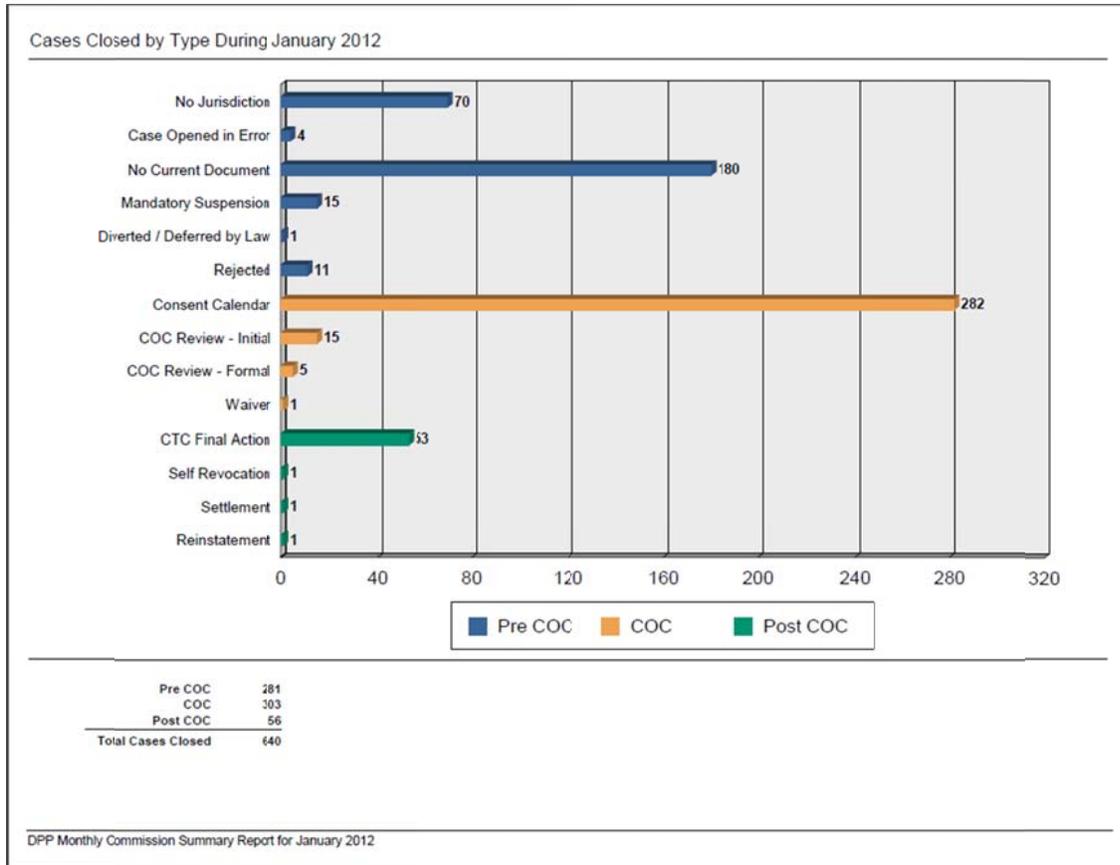


Chart 3 identifies the types of items that were closed throughout the month of January 2012. It is important to note that cases may be closed at any one of multiple steps in the discipline process and not all the cases that are closed were received in any one month.

**Chart 3:**



**Charts 4a and 4b: Case Aging Reports – January 2012**

Two versions of the Case Aging Report are presented. Each provides information on the same cases but through a slightly different lens. Both reports provide information on:

- a) the number of cases and how many days the cases have been in the process (0-30, 31-180, 181-270, 271-360, 361-450, and 450+ days);
- b) the cases by status in relation to the Committee of Credentials (COC): Pre COC, at the COC, or post COC, and;
- c) the type of misconduct the educator has been accused or convicted of, categorized into one of the following seven groups:
  - Child Crime-Sexual
  - Child Crime-Non-Sexual
  - Adult-Sexual
  - Drugs
  - Serious Crimes/Felonies
  - Alcohol
  - Other Crimes/Misdemeanors

Where the two reports differ is that one reports on the case type while the other includes information on the license status of the individual. Chart 4a, on page 7, provides information on the type of case and this information is also found on DPP Monthly Summary report and the Cases Closed reports. The second report, Chart 4b, presents information organized by whether or not the individual currently holds a valid license to serve as an educator in California.

**4a: Open Case Aged by Case Status, Case Type, and Offense as of January 2012**

This table, on page 7, is organized into three sections based on the work and its relation to the COC (Pre COC, at the COC, and Post COC). Within the work that has not yet gone to the COC, the information is organized into five types of cases:

- No Jurisdiction
- Potential Mandatory
- Diverted/Deferred by Law
- Potential Consent Calendar
- Potential Committee Case

For the cases that are at the COC or have completed the COC process, this report does not delineate among the case types.

Chart 4a:

Open Cases Aged by Case Status, Case Type, and Offense as of January 31, 2012

| Status                     | Case Type                  | Offense Code               | 0 - 90 Days                | 91 - 180 Days             | 181 - 270 Days | 271 - 360 Days | 361 - 450 Days | 450 + Days | Total |     |       |
|----------------------------|----------------------------|----------------------------|----------------------------|---------------------------|----------------|----------------|----------------|------------|-------|-----|-------|
| Pre COC                    | No Jurisdiction            | Child Crime - Sexual       | 0                          | 0                         | 0              | 0              | 0              | 0          | 1     |     |       |
|                            |                            | Child Crime - Non-sexual   | 1                          | 0                         | 0              | 1              | 0              | 0          | 3     |     |       |
|                            |                            | Adult - Sexual             | 0                          | 0                         | 0              | 1              | 0              | 0          | 2     |     |       |
|                            |                            | Drugs                      | 0                          | 0                         | 0              | 0              | 0              | 0          | 1     |     |       |
|                            |                            | Serious Crimes/Felonies    | 2                          | 2                         | 3              | 3              | 2              | 1          | 13    |     |       |
|                            |                            | Alcohol                    | 1                          | 0                         | 2              | 1              | 0              | 0          | 5     |     |       |
|                            |                            | Other Crimes/Misdemeanors  | 7                          | 6                         | 9              | 2              | 3              | 2          | 29    |     |       |
|                            |                            | Total                      | 11                         | 8                         | 17             | 8              | 5              | 5          | 54    |     |       |
|                            |                            | Potential Mandatory        | Potential Mandatory        | Child Crime - Sexual      | 34             | 13             | 10             | 10         | 6     | 30  | 103   |
|                            |                            |                            |                            | Child Crime - Non-sexual  | 18             | 11             | 4              | 9          | 1     | 6   | 49    |
|                            |                            |                            |                            | Adult - Sexual            | 10             | 7              | 3              | 2          | 0     | 3   | 25    |
|                            |                            |                            |                            | Drugs                     | 22             | 18             | 11             | 4          | 3     | 0   | 67    |
|                            |                            |                            |                            | Serious Crimes/Felonies   | 31             | 27             | 22             | 11         | 13    | 20  | 124   |
| Alcohol                    | 7                          |                            |                            | 5                         | 4              | 0              | 0              | 1          | 17    |     |       |
| Other Crimes/Misdemeanors  | 1                          |                            |                            | 0                         | 0              | 0              | 1              | 1          | 3     |     |       |
| Total                      | 123                        |                            |                            | 81                        | 54             | 36             | 24             | 70         | 388   |     |       |
| Diverted / Deferred by Law | Diverted / Deferred by Law |                            |                            | Child Crime - Non-sexual  | 0              | 0              | 1              | 2          | 0     | 4   | 7     |
|                            |                            |                            |                            | Drugs                     | 2              | 3              | 5              | 7          | 7     | 22  | 46    |
|                            |                            |                            |                            | Serious Crimes/Felonies   | 0              | 2              | 2              | 2          | 0     | 6   | 15    |
|                            |                            |                            |                            | Alcohol                   | 0              | 0              | 0              | 0          | 0     | 2   | 2     |
|                            |                            |                            |                            | Other Crimes/Misdemeanors | 1              | 2              | 2              | 3          | 2     | 0   | 10    |
|                            |                            | Total                      | 3                          | 7                         | 10             | 14             | 12             | 34         | 80    |     |       |
|                            |                            | Potential Consent Calendar | Potential Consent Calendar | Child Crime - Non-sexual  | 3              | 3              | 0              | 0          | 0     | 0   | 6     |
|                            |                            |                            |                            | Adult - Sexual            | 1              | 1              | 1              | 1          | 0     | 0   | 4     |
|                            |                            |                            |                            | Drugs                     | 2              | 2              | 2              | 0          | 0     | 1   | 7     |
|                            |                            |                            |                            | Serious Crimes/Felonies   | 34             | 14             | 6              | 6          | 2     | 2   | 64    |
|                            |                            |                            |                            | Alcohol                   | 17             | 56             | 35             | 14         | 1     | 7   | 284   |
|                            |                            |                            |                            | Other Crimes/Misdemeanors | 60             | 24             | 37             | 14         | 2     | 2   | 139   |
|                            |                            |                            |                            | Total                     | 271            | 100            | 81             | 35         | 5     | 12  | 504   |
| Potential COC Case         | Potential COC Case         |                            |                            | Child Crime - Sexual      | 2              | 1              | 1              | 1          | 0     | 3   | 8     |
|                            |                            |                            |                            | Child Crime - Non-sexual  | 24             | 18             | 22             | 2          | 0     | 4   | 70    |
|                            |                            |                            |                            | Adult - Sexual            | 1              | 3              | 4              | 2          | 2     | 4   | 16    |
|                            |                            |                            |                            | Drugs                     | 0              | 14             | 5              | 4          | 1     | 7   | 40    |
|                            |                            |                            |                            | Serious Crimes/Felonies   | 92             | 62             | 53             | 38         | 19    | 20  | 280   |
|                            |                            |                            |                            | Alcohol                   | 53             | 46             | 61             | 39         | 19    | 34  | 252   |
|                            |                            | Other Crimes/Misdemeanors  | 73                         | 75                        | 58             | 21             | 16             | 10         | 253   |     |       |
|                            |                            | Total                      | 254                        | 219                       | 204            | 107            | 53             | 82         | 919   |     |       |
|                            |                            | COC                        | All Offense Types          | All Offense Types         | 662            | 415            | 366            | 200        | 99    | 203 | 1,945 |
|                            |                            |                            |                            | Total                     | 190            | 56             | 83             | 65         | 128   | 250 | 772   |
|                            |                            |                            |                            | Total                     | 190            | 56             | 83             | 65         | 128   | 250 | 772   |
|                            |                            | Post COC                   | All Offense Types          | All Offense Types         | 190            | 56             | 83             | 65         | 128   | 250 | 772   |
|                            |                            |                            |                            | Total                     | 5              | 4              | 3              | 3          | 15    | 302 | 332   |
| Total                      | 5                          |                            |                            | 4                         | 3              | 3              | 15             | 302        | 332   |     |       |
| Total                      | Total                      | 857                        | 475                        | 452                       | 268            | 242            | 755            | 3,049      |       |     |       |

DPP Monthly Commission Summary Report for January 2012

#### **4b: Open Cases Aged by Case Status, Credential Status, and Offense as of January 31, 2012**

In this table, within each section of the work in relation to the COC (Pre COC, COC, and Post COC) there are four sets of rows (4-7 rows) where information related to individuals in each of the following groups is presented:

- Individuals holding a current, valid credential and therefore the individuals could be in a classroom or working with students in the K-12 public schools.
- Individuals who held one or more California credentials but all credentials have been suspended by the Commission. Since all licenses are suspended, these individuals should not be working with public school students at this time.
- Individuals who do not hold a California credential, but have one or more applications pending. These individuals should not be working with public school students at this time.
- Individuals who do not hold any current, valid credential and have no applications pending. These individuals should not be working with public school students at this time.

Pursuant to the Commission's adoption of policy last month concerning the last category listed above, this number will be reduced and hopefully eliminated over the coming month.

Chart 4b:

Open Cases Aged by Case Status, Credential Status, and Offense - as of January 31, 2012

| Case Status                        | Credential Status                  | Offense                         | 0 - 90 Days                     | 91 - 180 Days                   | 181 - 270 Days                  | 271 - 360 Days       | 361 - 450 Days | 451 + Days | Total        |            |              |
|------------------------------------|------------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|----------------------|----------------|------------|--------------|------------|--------------|
| Pre COC                            | Authorized                         | Child Crime - Sexual            | 14                              | 5                               | 1                               | 1                    | 0              | 4          | 25           |            |              |
|                                    |                                    | Child Crime - Non-sexual        | 36                              | 25                              | 23                              | 9                    | 0              | 10         | 103          |            |              |
|                                    |                                    | Adult - Sexual                  | 5                               | 10                              | 8                               | 6                    | 1              | 3          | 33           |            |              |
|                                    |                                    | Drugs                           | 26                              | 27                              | 23                              | 14                   | 10             | 35         | 135          |            |              |
|                                    |                                    | Serious Crimes/Felonies         | 116                             | 79                              | 67                              | 52                   | 28             | 42         | 384          |            |              |
|                                    |                                    | Alcohol                         | 194                             | 89                              | 93                              | 53                   | 15             | 42         | 487          |            |              |
|                                    |                                    | Other Crimes/Misdemeanors       | 110                             | 94                              | 92                              | 38                   | 22             | 13         | 369          |            |              |
|                                    |                                    | <b>Total</b>                    | <b>502</b>                      | <b>329</b>                      | <b>307</b>                      | <b>173</b>           | <b>76</b>      | <b>149</b> | <b>1,536</b> |            |              |
|                                    |                                    | Not Authorized - Docs Suspended | Not Authorized - Docs Suspended | Child Crime - Sexual            | 14                              | 8                    | 10             | 9          | 6            | 29         | 76           |
|                                    |                                    |                                 |                                 | Child Crime - Non-sexual        | 0                               | 1                    | 0              | 0          | 0            | 1          | 3            |
|                                    |                                    |                                 |                                 | Adult - Sexual                  | 1                               | 1                    | 0              | 0          | 0            | 2          | 4            |
|                                    |                                    |                                 |                                 | Serious Crimes/Felonies         | 0                               | 0                    | 1              | 0          | 0            | 2          | 3            |
|                                    |                                    |                                 |                                 | Alcohol                         | 0                               | 0                    | 0              | 0          | 0            | 0          | 0            |
|                                    |                                    |                                 |                                 | <b>Total</b>                    | <b>15</b>                       | <b>10</b>            | <b>11</b>      | <b>9</b>   | <b>8</b>     | <b>34</b>  | <b>87</b>    |
|                                    |                                    |                                 |                                 | Not Authorized - App(s) Pending | Not Authorized - App(s) Pending | Child Crime - Sexual | 1              | 0          | 0            | 1          | 0            |
| Child Crime - Non-sexual           | 4                                  |                                 |                                 |                                 |                                 | 3                    | 3              | 0          | 0            | 1          | 11           |
| Adult - Sexual                     | 2                                  |                                 |                                 |                                 |                                 | 0                    | 0              | 0          | 0            | 2          | 5            |
| Drugs                              | 4                                  |                                 |                                 |                                 |                                 | 9                    | 1              | 1          | 1            | 3          | 19           |
| Serious Crimes/Felonies            | 41                                 |                                 |                                 |                                 |                                 | 25                   | 17             | 8          | 5            | 4          | 100          |
| Alcohol                            | 31                                 |                                 |                                 |                                 |                                 | 15                   | 9              | 0          | 2            | 2          | 59           |
| Other Crimes/Misdemeanors          | 30                                 |                                 |                                 |                                 |                                 | 12                   | 13             | 2          | 2            | 2          | 61           |
| <b>Total</b>                       | <b>113</b>                         |                                 |                                 |                                 |                                 | <b>64</b>            | <b>43</b>      | <b>12</b>  | <b>11</b>    | <b>15</b>  | <b>258</b>   |
| Not Authorized - No App(s) Pending | Not Authorized - No App(s) Pending |                                 |                                 |                                 |                                 | Child Crime - Sexual | 7              | 1          | 0            | 0          | 0            |
|                                    |                                    | Child Crime - Non-sexual        | 6                               |                                 |                                 | 3                    | 2              | 5          | 0            | 2          | 18           |
|                                    |                                    | Adult - Sexual                  | 4                               |                                 |                                 | 0                    | 1              | 0          | 0            | 0          | 5            |
|                                    |                                    | Drugs                           | 5                               |                                 |                                 | 1                    | 0              | 0          | 0            | 1          | 7            |
|                                    |                                    | Serious Crimes/Felonies         | 2                               |                                 |                                 | 3                    | 1              | 0          | 2            | 1          | 9            |
|                                    |                                    | Alcohol                         | 6                               |                                 |                                 | 3                    | 0              | 1          | 2            | 1          | 13           |
|                                    |                                    | Other Crimes/Misdemeanors       | 2                               |                                 |                                 | 1                    | 1              | 0          | 0            | 0          | 4            |
|                                    |                                    | <b>Total</b>                    | <b>32</b>                       | <b>12</b>                       | <b>5</b>                        | <b>6</b>             | <b>4</b>       | <b>5</b>   | <b>64</b>    |            |              |
|                                    |                                    | COC                             | Authorized                      | <b>Total</b>                    | <b>662</b>                      | <b>415</b>           | <b>368</b>     | <b>200</b> | <b>99</b>    | <b>203</b> | <b>1,945</b> |
|                                    |                                    |                                 |                                 | Child Crime - Sexual            | 1                               | 3                    | 0              | 4          | 3            | 13         |              |
|                                    |                                    |                                 |                                 | Child Crime - Non-sexual        | 3                               | 5                    | 12             | 11         | 26           | 83         |              |
|                                    |                                    |                                 |                                 | Adult - Sexual                  | 0                               | 1                    | 2              | 4          | 2            | 4          |              |
|                                    |                                    |                                 |                                 | Drugs                           | 0                               | 0                    | 1              | 0          | 3            | 13         |              |
|                                    |                                    |                                 |                                 | Serious Crimes/Felonies         | 1                               | 5                    | 7              | 12         | 13           | 48         |              |
|                                    |                                    |                                 |                                 | Alcohol                         | 58                              | 8                    | 20             | 8          | 22           | 83         |              |
| Other Crimes/Misdemeanors          | 11                                 |                                 |                                 | 8                               | 24                              | 17                   | 42             | 47         |              |            |              |
| <b>Total</b>                       | <b>74</b>                          |                                 |                                 | <b>30</b>                       | <b>66</b>                       | <b>56</b>            | <b>110</b>     | <b>224</b> | <b>560</b>   |            |              |
| Not Authorized - Docs Suspended    | Not Authorized - Docs Suspended    |                                 |                                 | Child Crime - Non-sexual        | 0                               | 0                    | 3              | 0          | 2            | 1          | 6            |
|                                    |                                    |                                 |                                 | Serious Crimes/Felonies         | 0                               | 0                    | 0              | 0          | 0            | 0          | 0            |
|                                    |                                    |                                 |                                 | Other Crimes/Misdemeanors       | 0                               | 0                    | 0              | 0          | 0            | 1          | 1            |
| <b>Total</b>                       | <b>0</b>                           |                                 |                                 | <b>0</b>                        | <b>0</b>                        | <b>0</b>             | <b>0</b>       | <b>3</b>   | <b>2</b>     | <b>8</b>   |              |

DPP Monthly Commission Summary Report for January 2012

|              |                                       | 0 - 90 Days               | 91 - 180 Days                         | 181 - 270 Days            | 271 - 360 Days | 361 - 450 Days | 451 + Days | Total      |            |           |           |
|--------------|---------------------------------------|---------------------------|---------------------------------------|---------------------------|----------------|----------------|------------|------------|------------|-----------|-----------|
| COC          | Not Authorized - App(s)<br>Pending    | Child Crime - Sexual      | 0                                     | 0                         | 0              | 0              | 1          | 1          | 2          |           |           |
|              |                                       | Child Crime - Non-sexual  | 0                                     | 2                         | 1              | 0              | 1          | 1          | 5          |           |           |
|              |                                       | Adult - Sexual            | 0                                     | 1                         | 1              | 0              | 1          | 1          | 4          |           |           |
|              |                                       | Drugs                     | 3                                     | 1                         | 0              | 0              | 0          | 1          | 5          |           |           |
|              |                                       | Serious Crimes/Felonies   | 15                                    | 9                         | 2              | 3              | 7          | 5          | 41         |           |           |
|              |                                       | Alcohol                   | 66                                    | 5                         | 4              | 1              | 1          | 3          | 80         |           |           |
|              |                                       | Other Crimes/Misdemeanors | 31                                    | 7                         | 3              | 2              | 3          | 2          | 48         |           |           |
|              |                                       | <b>Total</b>              | <b>115</b>                            | <b>25</b>                 | <b>11</b>      | <b>6</b>       | <b>14</b>  | <b>14</b>  | <b>185</b> |           |           |
|              |                                       | COC                       | Not Authorized - No App(s)<br>Pending | Child Crime - Sexual      | 0              | 0              | 1          | 0          | 0          | 1         | 2         |
|              |                                       |                           |                                       | Child Crime - Non-sexual  | 0              | 0              | 0          | 0          | 1          | 1         | 2         |
|              |                                       |                           |                                       | Adult - Sexual            | 0              | 0              | 0          | 0          | 0          | 1         | 1         |
|              |                                       |                           |                                       | Drugs                     | 0              | 0              | 0          | 0          | 0          | 0         | 0         |
|              |                                       |                           |                                       | Serious Crimes/Felonies   | 0              | 0              | 0          | 0          | 0          | 0         | 0         |
|              |                                       |                           |                                       | Alcohol                   | 1              | 1              | 1          | 1          | 1          | 1         | 5         |
|              |                                       |                           |                                       | Other Crimes/Misdemeanors | 0              | 0              | 1          | 2          | 0          | 0         | 3         |
| <b>Total</b> | <b>1</b>                              |                           |                                       | <b>1</b>                  | <b>3</b>       | <b>3</b>       | <b>1</b>   | <b>1</b>   | <b>10</b>  |           |           |
| COC          | Total                                 |                           |                                       | Child Crime - Sexual      | 190            | 56             | 83         | 65         | 128        | 250       | 772       |
|              |                                       |                           |                                       | Child Crime - Non-sexual  | 0              | 0              | 0          | 0          | 0          | 18        | 18        |
|              |                                       |                           |                                       | Adult - Sexual            | 0              | 0              | 1          | 1          | 2          | 27        | 30        |
|              |                                       |                           |                                       | Drugs                     | 0              | 0              | 0          | 0          | 0          | 6         | 6         |
|              |                                       |                           |                                       | Serious Crimes/Felonies   | 0              | 0              | 0          | 0          | 0          | 5         | 5         |
|              |                                       |                           |                                       | Alcohol                   | 0              | 0              | 0          | 0          | 0          | 26        | 26        |
|              |                                       |                           |                                       | Other Crimes/Misdemeanors | 2              | 0              | 1          | 0          | 2          | 43        | 46        |
|              |                                       | <b>Total</b>              | <b>190</b>                            | <b>56</b>                 | <b>83</b>      | <b>65</b>      | <b>128</b> | <b>250</b> | <b>772</b> |           |           |
|              |                                       | COC                       | Authorized                            | Child Crime - Sexual      | 0              | 0              | 0          | 0          | 0          | 0         | 0         |
|              |                                       |                           |                                       | Child Crime - Non-sexual  | 0              | 0              | 0          | 1          | 2          | 27        | 30        |
|              |                                       |                           |                                       | Adult - Sexual            | 0              | 0              | 0          | 0          | 0          | 6         | 6         |
|              |                                       |                           |                                       | Drugs                     | 0              | 0              | 0          | 0          | 0          | 5         | 5         |
|              |                                       |                           |                                       | Serious Crimes/Felonies   | 0              | 0              | 0          | 0          | 0          | 26        | 26        |
|              |                                       |                           |                                       | Alcohol                   | 0              | 0              | 0          | 0          | 0          | 43        | 43        |
|              |                                       |                           |                                       | Other Crimes/Misdemeanors | 2              | 0              | 1          | 0          | 1          | 74        | 78        |
| <b>Total</b> | <b>2</b>                              |                           |                                       | <b>0</b>                  | <b>3</b>       | <b>1</b>       | <b>5</b>   | <b>198</b> | <b>210</b> |           |           |
| COC          | Not Authorized - Docs<br>Suspended    |                           |                                       | Child Crime - Sexual      | 0              | 0              | 0          | 0          | 0          | 0         | 0         |
|              |                                       |                           |                                       | Child Crime - Non-sexual  | 0              | 0              | 0          | 1          | 1          | 4         | 6         |
|              |                                       |                           |                                       | Adult - Sexual            | 0              | 0              | 0          | 0          | 1          | 1         | 2         |
|              |                                       |                           |                                       | Drugs                     | 0              | 0              | 0          | 0          | 0          | 1         | 1         |
|              |                                       |                           |                                       | Serious Crimes/Felonies   | 0              | 0              | 0          | 0          | 1          | 6         | 7         |
|              |                                       |                           |                                       | Alcohol                   | 0              | 0              | 0          | 0          | 0          | 1         | 1         |
|              |                                       |                           |                                       | Other Crimes/Misdemeanors | 0              | 0              | 0          | 0          | 0          | 12        | 12        |
|              |                                       | <b>Total</b>              | <b>0</b>                              | <b>0</b>                  | <b>0</b>       | <b>1</b>       | <b>4</b>   | <b>29</b>  | <b>34</b>  |           |           |
|              |                                       | COC                       | Not Authorized - App(s)<br>Pending    | Child Crime - Sexual      | 0              | 0              | 0          | 0          | 0          | 0         | 0         |
|              |                                       |                           |                                       | Child Crime - Non-sexual  | 0              | 1              | 0          | 0          | 0          | 1         | 5         |
|              |                                       |                           |                                       | Drugs                     | 1              | 1              | 0          | 0          | 0          | 0         | 3         |
|              |                                       |                           |                                       | Serious Crimes/Felonies   | 0              | 2              | 0          | 0          | 2          | 12        | 16        |
|              |                                       |                           |                                       | Alcohol                   | 0              | 0              | 0          | 0          | 0          | 4         | 4         |
|              |                                       |                           |                                       | Other Crimes/Misdemeanors | 2              | 0              | 0          | 1          | 3          | 2         | 8         |
|              |                                       |                           |                                       | <b>Total</b>              | <b>3</b>       | <b>4</b>       | <b>0</b>   | <b>1</b>   | <b>6</b>   | <b>32</b> | <b>46</b> |
| COC          | Not Authorized - No App(s)<br>Pending |                           |                                       | Child Crime - Sexual      | 0              | 0              | 0          | 0          | 0          | 0         | 0         |
|              |                                       |                           |                                       | Child Crime - Non-sexual  | 0              | 0              | 0          | 0          | 0          | 0         | 0         |
|              |                                       |                           |                                       | Adult - Sexual            | 0              | 0              | 0          | 0          | 0          | 0         | 0         |
|              |                                       |                           |                                       | Drugs                     | 0              | 0              | 0          | 0          | 0          | 0         | 0         |
|              |                                       |                           |                                       | Serious Crimes/Felonies   | 0              | 0              | 0          | 0          | 0          | 0         | 0         |
|              |                                       |                           |                                       | Alcohol                   | 0              | 0              | 0          | 0          | 0          | 0         | 0         |
|              |                                       |                           |                                       | Other Crimes/Misdemeanors | 0              | 0              | 0          | 0          | 0          | 0         | 0         |
|              |                                       |                           |                                       | <b>Total</b>              | <b>0</b>       | <b>0</b>       | <b>0</b>   | <b>0</b>   | <b>0</b>   | <b>0</b>  | <b>0</b>  |

DPP Monthly Commission Summary Report for January 2012

|                            | Not Authorized - No App(s) | 0 - 90 Days | 91 - 180 Days | 181 - 270 Days | 271 - 360 Days | 361 - 450 Days | 451 + Days | Total |
|----------------------------|----------------------------|-------------|---------------|----------------|----------------|----------------|------------|-------|
| Post COC                   |                            |             |               |                |                |                |            |       |
| Not Authorized - No App(s) |                            |             |               |                |                |                |            |       |
| Pending                    |                            | 0           | 0             | 0              | 0              | 0              | 0          | 5     |
| Alcohol                    |                            | 0           | 0             | 0              | 0              | 0              | 0          | 14    |
| Other Crimes/Misdemeanors  |                            | 0           | 0             | 0              | 0              | 0              | 0          | 41    |
| Total                      |                            | 0           | 0             | 0              | 0              | 0              | 0          | 1     |
| Undefined                  |                            | 0           | 0             | 0              | 0              | 0              | 0          | 1     |
| Other Crimes/Misdemeanors  |                            | 0           | 0             | 0              | 0              | 0              | 0          | 1     |
| Total                      |                            | 0           | 0             | 0              | 0              | 0              | 0          | 1     |
| Total                      |                            | 5           | 4             | 3              | 3              | 15             | 302        | 332   |
|                            |                            | 657         | 475           | 452            | 268            | 242            | 755        | 3,049 |

DPP Monthly Commission Summary Report for January 2012

**Chart 5: Caseload of the Committee of Credentials**

This chart represents the types of cases reviewed by the COC from January 2011 through January 2012.

| Committee Review 2011/2012 |         |         |         |                  |                      |       |
|----------------------------|---------|---------|---------|------------------|----------------------|-------|
|                            | Consent | Discuss | Initial | Formal           | Formal               | Total |
|                            |         |         |         | App <sup>1</sup> | Non App <sup>2</sup> |       |
| January '11                |         |         | 51      | 18               | 33                   | 102   |
| February                   |         |         | 52      | 15               | 28                   | 95    |
| March                      |         |         | 56      | 12               | 31                   | 99    |
| April                      |         |         | 62      | 14               | 30                   | 106   |
| May                        | 125     | 0       | 53      | 18               | 24                   | 220   |
| June                       | 283     | 28      | 65      | 15               | 39                   | 430   |
| July                       | 285     | 25      | 85      | 12               | 32                   | 439   |
| August                     | 233     | 14      | 82      | 19               | 31                   | 379   |
| September                  | 158     | 13      | 60      | 12               | 52                   | 295   |
| October                    | 201     | 9       | 53      | 25               | 42                   | 330   |
| November                   | 325     | 6       | 50      | 16               | 40                   | 437   |
| December                   | 244     | 7       | 59      | 16               | 29                   | 355   |
| January '12                | 278     | 8       | 64      | 21               | 24                   | 395   |

**Next Steps**

Staff will continue to post the Monthly Activity Summary reports on the Commissioners’ internal webpage each month. Staff will continue working to implement the State Auditor’s recommendations and file required updates. The one year report to BSA will be due on April 7, 2012.

<sup>1</sup> “App” means the person chose to appear and testify before the Committee.

<sup>2</sup> “Non App” means the person chose not to appear before the Committee.

## APPENDIX

| #  | BSA Recommendation   |
|----|--|
| 1  | To comply with the law and reduce unnecessary workload, the division should continue to notify Justice of individuals for whom the division is no longer interested in receiving RAP sheets.   |
| 2  | The commission should revise its strategic plan to identify the programmatic, organizational, and external challenges that face the division and the committee in overcoming those challenges, and the goals and actions necessary to accomplish its mission.  |
| 3  | To ensure that it can effectively process its workload in the future, the commission should collect the data needed to identify the staffing levels necessary to accommodate its workload.   |
| 4  | The commission should seek a legal opinion from the attorney general to determine the legal authority and extent to which the committee may delegate to the division the discretionary authority to close investigations of alleged misconduct. After the commission receives the attorney general's legal advice regarding the division's authority to close investigations without committee review, the commission should take all necessary steps to comply with the attorney general's advice.  |
| 5  | Once the commission has received the attorney general's legal advice regarding the extent to which the committee may delegate case closures to the division, the commission should undertake all necessary procedural and statutory changes to increase the number of cases the committee can review each month.   |
| 6  | The division should develop and formalize comprehensive written procedures to promote consistency in, and conformity with, management's policies and directives for reviews of reported misconduct.  |
| 7  | The division should provide training and oversight, and should take any other necessary steps, to ensure that the case information in its database is complete, accurate, and consistently entered to allow for the retrieval of reliable case management information.   |
| 8  | To ensure that the division promptly and properly processes the receipt of all the various reports of educator misconduct it receives, such as RAP sheets, school reports, affidavits, and self disclosures of misconduct, the division should develop and implement procedures to create a record of the receipt of these reports that it can use to account for them. In addition, the process should include oversight of the handling of these reports to ensure that case files for the reported misconduct are established in the commission's database to allow for tracking and accountability.  |
| 9  | To adequately address the weaknesses in its processing of reports of misconduct, the division should revisit management's reports and its processes for overseeing the investigations of misconduct to ensure that the reports and practices provide adequate information to facilitate the following: <ul style="list-style-type: none"> <li>• 9.1 - Reducing the time elapsed to perform critical steps in the review process.</li> <li>• 9.2 - Adequate tracking of the reviews of reports of misconduct that may require mandatory action by the commission to ensure the timely revocation of the credentials for all individuals whose misconduct renders them unfit for the duties authorized by their credential.</li> <li>• 9.3 - Prompt requests for information surrounding reports of misconduct from law enforcement agencies, the courts, schools, and knowledgeable individuals.</li> <li>• 9.4 - An understanding of the reasons for delays in investigating individual reports of misconduct without having to review the paper files for the cases.</li> <li>• 9.5 - Clear evidence of management review of reports intended to track the division's progress in its investigations of misconduct.</li> <li>• 9.6 - Clear tracking of the dates at which the commission will lose its jurisdiction over the case as a result of the expiration of statute-based time frames for investigating the misconduct.</li> </ul> |
| 10 | The commission should continue to implement its new procedures related to deleting cases from its database to ensure that all such proposed deletions are reviewed by management for propriety before they are deleted and a record is kept of the individuals to which each such deleted case record pertains. Further, the commission should develop and implement policies and procedures related to managing changes and deletions to its database.  |
| 11 | The division should develop and implement procedures to track cases after they have been assigned to the investigative process.  |
| 12 | RAP sheets not all saved in the same location  |