

The House Committee on Education offers the following substitute to HB 125:

A BILL TO BE ENTITLED  
AN ACT

To amend Subpart 1 of Part 6 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to certificated professional personnel, so as to provide for conditions under which the Professional Standards Commission shall be prohibited from granting initial renewable certificates; to provide for definitions; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Subpart 1 of Part 6 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to certificated professional personnel, is amended by striking Code Section 20-2-200, relating to regulation of certificated professional personnel, and inserting in its place new Code Sections 20-2-200 and 20-2-200.1 to read as follows:

"20-2-200.

As used in this part, the term:

(1) 'Certificated professional personnel' means all professional personnel certificated by the commission.

(2) 'Commission' means the Professional Standards Commission established under Part 10 of Article 17 of this chapter.

20-2-200.1.

(a) The ~~Professional Standards Commission~~ commission shall provide, by regulation, for certifying and classifying all certificated professional personnel employed in the public schools of this state. No such personnel shall be employed in the public schools of this state unless they hold certificates issued by the commission certifying their qualifications and classification in accordance with such regulations. The commission shall establish such number of classifications of other certificated professional personnel as it may find reasonably necessary or desirable for the operation of the public schools; provided,

1 however, that such classifications shall be based only upon academic, technical, and  
2 professional training, experience, and competency of such personnel. The commission is  
3 authorized to provide for revoking or denying a certificate for good cause after an  
4 investigation is held and notice and hearings are provided the certificate holder. The  
5 commission shall designate and define the various classifications of professional personnel  
6 employed in the public schools of this state that shall be required to be certificated under  
7 this Code section. ~~Without limiting the generality of the foregoing, the term 'certificated~~  
8 ~~professional personnel' is defined as all professional personnel certificated by the~~  
9 ~~commission and county or regional librarians.~~

10 (b)(1) Before granting a renewable certificate to an applicant, the ~~Professional Standards~~  
11 ~~Commission~~ commission shall require the applicant to demonstrate satisfactory  
12 proficiency on a test of specific subject matter or other professional knowledge  
13 appropriate to the applicant's field of certification.

14 (2) Before granting a renewable certificate to an applicant, the commission is authorized  
15 to require the applicant to demonstrate satisfactory proficiency on a test of oral and  
16 written communication skills, a test of computer skill competency, and an assessment to  
17 demonstrate satisfactory on-the-job performance appropriate to the applicant's field of  
18 certification. Successful completion of the phase one InTech model training at a state  
19 educational technology training center or by a State Board of Education approved  
20 redelivery team shall be acceptable for certificate renewal purposes. The on-the-job  
21 performance of teachers shall be assessed by the instrument developed pursuant to Code  
22 Section 20-2-210. When used for initial renewable certification, the extended form  
23 version of such instrument shall be used with the following additional requirements: the  
24 applicant shall produce for the days to be observed a brief written lesson plan appropriate  
25 and sufficient for the demonstration of essential skills; the scheduling of observation  
26 periods and intervals between them shall be designed to allow the teacher an adequate  
27 opportunity to demonstrate the essential skills; at least one evaluator shall be external to  
28 the school system in which the assessment is taking place and each evaluator is certified  
29 by the commission as qualified to administer the assessment; on-the-job performance  
30 shall be evaluated on criteria set by the commission which will ensure demonstration of  
31 effective teaching practices.

32 (3) An applicant shall be exempted from the written planning portion of the on-the-job  
33 assessment requirement pursuant to paragraph (2) of this subsection if:

34 (A) The applicant has held a professional teaching or service certificate issued by any  
35 state in the United States at the baccalaureate degree level or higher and has  
36 satisfactorily performed appropriate duties on a full-time basis for at least five of the  
37 past eight years in regionally accredited private schools of this state or another state, or

1 an accrediting agency with criteria and procedures equivalent to or greater than a  
2 regional accrediting association as determined solely by the ~~Professional Standards~~  
3 ~~Commission~~ commission, or in public schools of this state or another state, or a  
4 combination thereof; or

5 (B) The applicant has held a professional leadership certificate issued by any state in  
6 the United States at a level above the master's degree and has satisfactorily performed  
7 appropriate leadership duties on a full-time basis for at least five of the past eight years  
8 in regionally accredited private schools of this state or another state, or an accrediting  
9 agency with criteria and procedures equivalent to or greater than a regional accrediting  
10 association as determined solely by the ~~Professional Standards Commission~~  
11 commission, or in public schools of this state or another state, or a combination thereof.

12 (4) Exemptions authorized pursuant to paragraph (3) of this subsection shall not apply  
13 to those applicants who have taken the on-the-job assessment required for certification  
14 more than five times. Any person who qualifies for the exemption granted under  
15 subparagraph (A) or (B) of paragraph (3) of this subsection shall receive a nonrenewable  
16 certificate valid for a maximum of three years. During those three years, said person  
17 shall be eligible for a renewable certificate at such time said person demonstrates  
18 satisfactory performance on the nonwritten portion of the required certification  
19 assessment. This exemption shall in no way affect other certification requirements of this  
20 article or the annual performance evaluation required pursuant to Code Section 20-2-210.

21 (5) Before granting an initial renewable certificate to an applicant, the commission is  
22 authorized to require the applicant to demonstrate satisfactory proficiency on a test of  
23 broad general knowledge.

24 (6) On any test or assessment required as a condition for receiving any renewable  
25 certificate, each applicant shall have at least three opportunities to demonstrate the  
26 required proficiency. Each applicant currently employed by a local unit of administration  
27 who initially does not pass any required tests or assessments may request and thereby  
28 shall be provided staff development assistance in the areas of identified deficiencies. An  
29 applicant must achieve the required passing score on any of the required tests only once  
30 for each certification level and field.

31 (7) An individual holding a valid life certificate is exempt from the provisions of this  
32 subsection for that certificate field.

33 (8) An individual who has received two unsatisfactory annual performance evaluations  
34 in the previous five-year period pursuant to Code Section 20-2-210 shall not be entitled  
35 to a renewable certificate prior to demonstrating that such performance deficiency has  
36 been satisfactorily addressed, but such individual may apply to the commission for a  
37 nonrenewable certificate.

(9) Before granting a renewable certificate required for teaching or for administering or supervising a school system, school, or school program to an applicant who holds a valid renewable certificate at the time of application, the commission shall require such applicant to demonstrate that he or she has worked as a teacher in a classroom for not less than five days during each school year preceding the expiration of such applicant's certificate or has completed a teacher training course approved by the commission.

~~(b.1)~~(c) Upon certification from the National Board for Professional Teaching Standards, an applicant shall be deemed to have met state renewal requirements for the life of the teacher's national certificate.

~~(c)~~(d)(1) The ~~Professional Standards Commission~~ commission shall grant a renewable certificate at the four-year level in a teaching field to an applicant who has not completed a teacher preparation program; provided, however, that such applicant meets the following conditions:

(A) Is the holder of a bachelor's degree from a regionally accredited college or university in a subject area field corresponding to an appropriate subject area certification classification established pursuant to subsection (a) of this Code section;

(B) Has satisfactorily completed a one-year supervised classroom internship involving the appropriate teaching field;

(C) Has obtained satisfactory results on tests and assessments pursuant to subsection (b) of this Code section otherwise required of applicants for such certification; and

(D) Has satisfied any additional requirements or standards of the alternative certification program established by rules or regulations of the ~~Professional Standards Commission~~ commission.

(2) The ~~Professional Standards Commission~~ commission shall establish rules and regulations to implement the requirements of this subsection as soon as practical.

~~(d)~~(e)(1) The ~~Professional Standards Commission~~ commission shall grant a renewable certificate at the five-year level in a teaching field to an applicant who did not complete an undergraduate teacher preparation program; provided, however, that such applicant meets the following conditions:

(A) Is the holder of a master's degree or higher level degree from a regionally accredited college or university in a subject area field corresponding to an appropriate subject area certification classification established pursuant to subsection (a) of this Code section;

(B) Has satisfactorily completed a one-year supervised classroom internship involving the appropriate teaching field;

(C) Has obtained satisfactory results on tests and assessments pursuant to subsection (b) of this Code section otherwise required of applicants for such certification; and

(D) Has satisfied any additional requirements or standards of the alternative certification program established by rules or regulations of the ~~Professional Standards Commission~~ commission.

(2) The ~~Professional Standards Commission~~ commission shall establish rules and regulations to implement the requirements of this subsection as soon as practical.

~~(e)(f)~~(1) The ~~Professional Standards Commission~~ commission shall charge the following fees to persons who file applications with the commission under its regulations adopted pursuant to the authority of this Code section:

(A) For an applicant for initial certification who is not currently employed in Georgia public or private schools . . . . . \$ 20.00

(B) For an applicant for initial certification who is not a graduate of an accredited education program from a Georgia college or university . . . 20.00

(C) For an applicant for a higher certificate when the applicant then holds a Georgia certificate but who is not currently employed in Georgia public or private schools . . . . . 20.00

(D) For an applicant for a certificate which adds a field or which endorses a certificate but who is not currently employed in Georgia public or private school . . . . . 20.00

(E) For an applicant for a conditional certificate . . . . . 20.00

(F) For an applicant for the renewal of any certificate if the applicant is not currently employed by a public or private school in Georgia . . . . . 20.00

(G) For evaluating transcripts where certificates are not issued and for issuing duplicate copies of certificates . . . . . 20.00

(2) The fees provided for in paragraph (1) of this subsection shall be paid by an applicant by cashier's check or money order as a condition for filing the application.

(3) The fees provided for in this subsection shall be paid by the commission into the general funds of the state. The commission shall adopt regulations to carry out the provisions of this subsection.

~~(f)(g)~~ No applicant who is under review by the commission shall be allowed to withdraw his or her application for a certificate, permit, or other certification document without the written consent of the commission. The commission shall retain its authority over those applicants to proceed with the denial of the certificate, permit, or other certification document upon any ground provided by law, or to enter an order denying the certificate, permit, or other certification document upon any ground provided by law. The suspension or expiration of any certificate, permit, or certification document, or its surrender without

1 the written consent of the commission, shall not deprive the commission of its authority to  
2 do any of the following:

3 (1) Institute or continue a disciplinary proceeding against the holder of a certificate,  
4 permit, or other certification document upon any ground provided by law;

5 (2) Enter an order suspending or revoking the certificate, permit, or other certification  
6 document; or

7 (3) Issue an admonition to the holder of a certificate, permit, or other certification  
8 document.

9 ~~(g) As used in this part, unless the context indicates otherwise, the term 'commission'~~  
10 ~~means the Professional Standards Commission established under Part 10 of Article 17 of~~  
11 ~~this chapter.~~

12 (h)(1) On and after January 1, 2003, if more than 20 percent of the graduates of an  
13 otherwise accredited education program from a Georgia college or university fail the  
14 PRAXIS II exam or other exam administered by the commission for initial renewable  
15 certificates, such program shall be placed on probation status for a period of the lesser of  
16 three years, or until such failure rate is 20 percent or less. If, after such three years of  
17 probation status, such program continues with a failure rate of more than 20 percent, such  
18 program shall be placed on suspension status.

19 (2) Notwithstanding any other provision of law to the contrary, the commission shall not  
20 be authorized to grant initial renewable certificates to any applicants who are graduates  
21 of an otherwise accredited education program from a Georgia college or university if that  
22 program has attained suspension status under this subsection."

## 23 SECTION 2.

24 This Act shall become effective upon its approval by the Governor or upon its becoming law  
25 without such approval.

## 26 SECTION 3.

27 All laws and parts of laws in conflict with this Act are repealed.