

House Bill 125

By: Representatives Stancil of the 16th, Lewis of the 14th, Pinholster of the 15th and Massey of the 86th

A BILL TO BE ENTITLED
AN ACT

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

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

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

12 "20-2-200.

13 As used in this part, the term:

14 (1) 'Certificated professional personnel' means all professional personnel certificated by
15 the commission and county or regional librarians.

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

18 20-2-200.1.

19 (a) The ~~Professional Standards Commission~~ commission shall provide, by regulation, for
20 certifying and classifying all certificated professional personnel employed in the public
21 schools of this state. No such personnel shall be employed in the public schools of this
22 state unless they hold certificates issued by the commission certifying their qualifications
23 and classification in accordance with such regulations. The commission shall establish
24 such number of classifications of other certificated professional personnel as it may find
25 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

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

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

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

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

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

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

34 (8) An individual who has received two unsatisfactory annual performance evaluations
35 in the previous five-year period pursuant to Code Section 20-2-210 shall not be entitled
36 to a renewable certificate prior to demonstrating that such performance deficiency has

1 been satisfactorily addressed, but such individual may apply to the commission for a
2 nonrenewable certificate.

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

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

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

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

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

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

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

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

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

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

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

1 (C) Has obtained satisfactory results on tests and assessments pursuant to subsection
 2 (b) of this Code section otherwise required of applicants for such certification; and
 3 (D) Has satisfied any additional requirements or standards of the alternative
 4 certification program established by rules or regulations of the ~~Professional Standards~~
 5 ~~Commission~~ commission.

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

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

- 11 (A) For an applicant for initial certification who is not currently employed
 12 in Georgia public or private schools \$ 20.00
- 13 (B) For an applicant for initial certification who is not a graduate of an
 14 accredited education program from a Georgia college or university 20.00
- 15 (C) For an applicant for a higher certificate when the applicant then holds
 16 a Georgia certificate but who is not currently employed in Georgia public
 17 or private schools 20.00
- 18 (D) For an applicant for a certificate which adds a field or which endorses
 19 a certificate but who is not currently employed in Georgia public or
 20 private school 20.00
- 21 (E) For an applicant for a conditional certificate 20.00
- 22 (F) For an applicant for the renewal of any certificate if the applicant is
 23 not currently employed by a public or private school in Georgia 20.00
- 24 (G) For evaluating transcripts where certificates are not issued and for
 25 issuing duplicate copies of certificates 20.00

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

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

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

1 or expiration of any certificate, permit, or certification document, or its surrender without
 2 the written consent of the commission, shall not deprive the commission of its authority to
 3 do any of the following:

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

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

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

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

13 (h)(1) On and after January 1, 2002, if more than 15 percent of the graduates of an
 14 otherwise accredited education program from a Georgia college or university fail the
 15 PRAXIS II exam or other exam administered by the commission for initial renewable
 16 certificates, such program shall be placed on probation status for a period of the lesser of
 17 three years, or until such failure rate is 15 percent or less. If, after such three years of
 18 probation status, such program continues with a failure rate of more than 15 percent, such
 19 program shall be placed on suspension status.

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

24 SECTION 2.

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

27 SECTION 3.

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