

House Bill 603

By: Representatives Hembree of the 67th, Drenner of the 86th, Amerson of the 9th, Dickson of the 6th, Keen of the 179th, and others

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 the employment of certificated professional personnel in
3 elementary and secondary education, so as to provide for alternative teaching certifications
4 for secondary school teachers; to provide for statutory construction; to prohibit
5 discrimination or disparate treatment for teachers and applicants for alternative certification;
6 to provide for to provide for related matters; to repeal conflicting laws; and for other
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Subpart 1 of Part 6 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia
11 Annotated, relating to the employment of certificated professional personnel in elementary
12 and secondary education, is amended in Code Section 20-2-200, relating to teacher
13 certification, as follows:

14 "20-2-200.

15 (a) The Professional Standards Commission shall provide, by regulation, for certifying and
16 classifying all certificated professional personnel employed in the public schools of this
17 state. No such personnel shall be employed in the public schools of this state unless they
18 hold certificates issued by the commission certifying their qualifications and classification
19 in accordance with such regulations. The commission shall establish such number of
20 classifications of other certificated professional personnel as it may find reasonably
21 necessary or desirable for the operation of the public schools; provided, however, that such
22 classifications shall be based only upon academic, technical, and professional training,
23 experience, and competency of such personnel. The commission is authorized to provide
24 for denying a certificate to an applicant, suspending or revoking a certificate, or otherwise
25 disciplining the holder of a certificate for good cause after an investigation is held and
26 notice and an opportunity for a hearing are provided the certificate holder or applicant in

1 accordance with subsection (d) of Code Section 20-2-984.5. The commission shall
2 designate and define the various classifications of professional personnel employed in the
3 public schools of this state that shall be required to be certificated under this Code section
4 or under Code Section 20-2-206. Without limiting the generality of the foregoing, the term
5 'certificated professional personnel' is defined as all professional personnel certificated by
6 the commission and county or regional librarians.

7 (b)(1) The Professional Standards Commission shall establish rules and regulations for
8 appropriate requirements and procedures to ensure high-quality certification standards
9 for all Georgia educators while facilitating the interstate mobility of out-of-state certified
10 educators.

11 (2) Requirements established for initial certification applicants new to the profession, to
12 include out-of-state program completers with or without certificates and with no teaching
13 experience, may include, but are not limited to, demonstrated satisfactory proficiency in
14 the following: a test of broad general knowledge; a test of specific subject matter content
15 or other professional knowledge appropriate to the applicant's field of certification;
16 computer skill competency; standards of ethical conduct; and course work in the
17 identification and education of children who have special educational needs; provided,
18 however, that this paragraph shall not be construed to apply to alternative certification
19 requirements as provided in Code Section 20-2-206.

20 (3) Requirements established for holders of valid, professional out-of-state certificates
21 applying for their first Georgia certificate may include, but are not limited to the
22 following: computer skill competency; course work in the identification and education
23 of children who have special educational needs; recency of study; and standards of ethical
24 conduct. These requirements may be completed during the validity period of the first
25 Georgia certificate. At the time of application for the first Georgia certificate,
26 satisfactory proficiency in subject matter content appropriate to the applicant's field of
27 certification may be determined based on Professional Standards Commission approved
28 tests or combinations of successful teaching experience and academic, technical, and
29 professional preparation as outlined in rules of the Professional Standards Commission.

30 (4) Requirements for certification renewal shall be established to foster ongoing
31 professional learning, enhance student achievement, and verify standards of ethical
32 conduct. Such requirements may include, but are not limited to, professional learning
33 related to school improvement plans or the applicant's field of certification and
34 background checks. Should the Professional Standards Commission include a
35 requirement to demonstrate computer skill competency, the rules and regulations shall
36 provide that a certificated educator may elect to meet the requirement by:

1 (A) Completing a course in computer skill competency, including but not limited to the
2 phase one InTech model training program; or

3 (B) Receiving satisfactory results on a test in basic computer skill competency. If a
4 certificated educator elects to take such test pursuant to this subparagraph, the local
5 school system by which such educator is employed shall make available the opportunity
6 to take the test on site at the school in which the educator is assigned. Each principal
7 shall identify an administrator on site at each school to serve as a proctor for individuals
8 taking the test pursuant to this subparagraph.

9 Individuals holding a valid Georgia life certificate or a valid National Board for
10 Professional Teaching Standards certificate shall be deemed to have met state renewal
11 requirements except those related to background checks.

12 (5) Requirements designating approved in-field assignment standards appropriate to the
13 applicant's field of certification shall be established to ensure that educators are assigned
14 to those areas for which they are properly prepared. These standards may be determined
15 based on reviews of state approved curriculum courses, state approved preparation
16 programs, and designated certificate fields.

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

22 (d) No applicant who is under review by the commission shall be allowed to withdraw his
23 or her application for a certificate, permit, or other certification document without the
24 written consent of the commission. The commission shall retain its authority over those
25 applicants to proceed with the denial of the certificate, permit, or other certification
26 document upon any ground provided by law, or to enter an order denying the certificate,
27 permit, or other certification document upon any ground provided by law. The suspension
28 or expiration of any certificate, permit, or certification document, or its surrender without
29 the written consent of the commission, shall not deprive the commission of its authority to
30 do any of the following:

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

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

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

(e)(1) The Professional Standards 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 schools 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) As used in this part, unless the context indicates otherwise, the term 'commission' means the Professional Standards Commission established under Part 10 of Article 17 of this chapter."

SECTION 2.

Said subpart is further amended by adding a new Code section to read as follows:

"20-2-206.

(a) Each local school system may provide an alternative teacher certification program upon approval by the Professional Standards Commission for a secondary school teacher candidate who:

(1) Possesses a master's degree, doctoral degree, or Juris Doctor in each academic subject in which the candidate will teach; and

(2) Receives high-quality professional development that is sustained, intensive, and classroom focused in order to have a positive and lasting impact on classroom instruction, before and while teaching;

(3) Participates in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring program;

(4) Assumes functions as a teacher only for a specified period of time not to exceed three years; and

(5) Demonstrates satisfactory progress toward full certification as prescribed by the Professional Standards Commission.

The Professional Standards Commission shall apply the least restrictive standards when approving a school system developed program under this subsection.

(b) The Professional Standards Commission shall grant a clear renewable certificate, as defined by the commission, to a secondary school teacher candidate who:

(1) Possesses a master's degree, doctoral degree, or Juris Doctor in each academic subject in which the teacher will teach;

(2) Complies with standards of conduct requirements established by the Professional Standards Commission;

(3) Complies with special education requirements established by the Professional Standards Commission;

(4) Complies with computer skill competency requirements established by the Professional Standards Commission;

(5) Complies with recency of study and experience requirements established by the Professional Standards Commission; and

(6) Has received an offer of employment for a teaching position in a local school system in Georgia.

(c) Any teacher certified pursuant to this Code section shall be considered a highly qualified teacher for purposes of the federal No Child Left Behind Act (P.L. 107-110).

(d) A teacher certified pursuant to this Code section shall be considered a certificated professional personnel in all respects for purposes of this chapter or any local board of education policy.

(e) A local school system shall not discriminate or treat differently in any manner a teacher certified or an applicant seeking certification pursuant to this Code section, including, but not limited to, refusal to admit such teacher to a job fair or other teacher recruitment activity."

SECTION 3.

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