

House Bill 243 (AS PASSED HOUSE AND SENATE)

By: Representatives Pruett of the 144<sup>th</sup>, Sellier of the 136<sup>th</sup>, and Maxwell of the 17<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Subpart 2 of Part 6 of Article 6 of Chapter 2 of Title 20 of the Official Code of  
2 Georgia Annotated, relating to conditions of employment of certificated personnel in  
3 elementary and secondary education, so as to provide that only teachers currently receiving  
4 salary increases for National Board for Professional Teaching Standards certification shall  
5 be eligible for continuing increases; to provide for an exception for teachers enrolled in the  
6 process as of March 1, 2009; to provide that if an individual leaves a teaching position, he  
7 or she is no longer eligible for the salary increase; to provide that such increases are subject  
8 to appropriations by the General Assembly; to provide for related matters; to repeal  
9 conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 style="text-align:center">**SECTION 1.**

12 Subpart 2 of Part 6 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia  
13 Annotated, relating to conditions of employment of certificated personnel in elementary and  
14 secondary education, is amended by revising Code Section 20-2-212.2, relating to salary  
15 increases for persons receiving certification from the National Board for Professional  
16 Teaching Standards, as follows:

17 "20-2-212.2.

18 (a) As used in this Code section, the term:

19 (1) 'High-needs school' means a Georgia public school that has received an unacceptable  
20 rating for a period of two or more consecutive years; and

21 (2) 'National certification' means certification obtained from the National Board for  
22 Professional Teaching Standards.

23 (b) For initial national certification prior to July 1, 2006, and subsequent renewals anytime  
24 thereafter,

25 (1) Any person who:

26 (A) Is currently teaching full time in a Georgia public school and holds a valid Georgia  
27 teaching certificate; and

28 (B) Has successfully completed the prerequisite portfolio of student work and  
29 examination and has received national certification

30 shall receive not less than a 10 percent rate increase in state salary for each year he or she  
31 holds national certification. Such increase shall be awarded beginning on the date such  
32 certification is received. The 10 percent increase shall be computed based on the state  
33 salary for such individual when national certification is received and recomputed each  
34 subsequent year based on the individual's state salary for that school year. In the case of  
35 a person who has received such national certification prior to July 1, 2000, and is  
36 receiving or is eligible to receive a 5 percent rate increase, the 5 percent rate increase  
37 shall be changed to a 10 percent rate increase effective with the commencement of the  
38 2000-2001 school year. The increase in state salary provided by this Code section shall  
39 be in addition to any other increase for which the person is eligible. An individual  
40 receiving a salary increase pursuant to this subsection shall cease to receive such increase  
41 if he or she leaves a teaching position after March 1, 2009. This subsection shall be  
42 subject to appropriations by the General Assembly.

43 ~~(2) A teacher shall be granted two days of approved paid leave to prepare the portfolio~~  
44 ~~of student work required for national certification.~~

45 ~~(3) A portion of the national certification program participation fee may be paid by the~~  
46 ~~state prior to certification for any person who:~~

47 ~~(A) Is currently teaching in a Georgia public school and holds a valid Georgia teaching~~  
48 ~~certificate;~~

49 ~~(B) Has submitted an application and the initial qualifying payment to the National~~  
50 ~~Board for Professional Teaching Standards; and~~

51 ~~(C) Has successfully completed a screening process developed by the Professional~~  
52 ~~Standards Commission.~~

53 ~~(4)~~(2) A teacher for whom the State of Georgia pays a portion of the national  
54 certification participation fee and who does not teach in a Georgia public school for at  
55 least one year after receiving certification shall repay the state's portion of the  
56 participation fee to the state. Repayment is not required if the teacher is unable to  
57 complete the additional year of teaching due to the death or disability of the teacher, and  
58 repayment is not required if the teacher fails to receive national board certification.

59 ~~(5)~~(3) The portion of the national certification program participation fee paid by the  
60 participant shall be reimbursed by the state upon certification for any teacher who is  
61 eligible for an increase pursuant to paragraph (1) of this subsection. This paragraph shall  
62 be subject to appropriations by the General Assembly.

63 ~~(6)~~(4) A teacher for whom the State of Georgia reimburses the cost of the participation  
 64 fee and who does not teach in a Georgia public school for at least one year after receiving  
 65 certification shall repay the reimbursement payment to the state. Repayment is not  
 66 required if the teacher is unable to complete the additional year of teaching due to the  
 67 death or disability of the teacher.

68 (b.1) Any person who has enrolled in the process, as determined by the Professional  
 69 Standards Commission, of attaining national certification on or before March 1, 2005, and  
 70 who obtains initial certification and subsequent renewals after July 1, 2006, shall be  
 71 eligible for salary increases, subject to appropriations by the General Assembly, pursuant  
 72 to subsection (b) of this Code section if such person otherwise meets the requirements of  
 73 subsection (b) of this Code section.

74 (c) Except as provided for in ~~subsection~~ subsections (b.1) and (c.1) of this Code section,  
 75 for initial national certification ~~on and after~~ between July 1, 2006, and March 1, 2009, and  
 76 subsequent renewals anytime thereafter,

77 (1) Any person who:

78 (A) Is currently teaching full time in a high-needs school and holds a valid Georgia  
 79 teaching certificate as defined by the Professional Standards Commission; and

80 (B) Has successfully completed the prerequisite portfolio of student work and  
 81 examination and has received national certification

82 shall receive not less than a 10 percent rate increase in state salary for each year he or she  
 83 holds national certification. Such increase shall be awarded beginning on the date such  
 84 certification is received. The 10 percent increase shall be computed based on the state  
 85 salary for such individual when national certification is received. A teacher who transfers  
 86 to a high-needs school after such individual receives national certification shall receive  
 87 such increase beginning on the effective date of transfer if the teacher meets the  
 88 requirements of this subsection, and such increase shall be computed based on the state  
 89 salary for such individual on the effective date of the transfer. Provided such individual  
 90 remains employed in a high-needs school or in a school that was designated as a  
 91 high-needs school at the time the individual received national certification or transferred  
 92 to such school and otherwise continues to meet the requirements of this subsection, the  
 93 10 percent increase shall be recomputed each subsequent year based on such individual's  
 94 state salary for that school year. An individual receiving a salary increase pursuant to this  
 95 subsection shall cease to receive such increase if he or she leaves a teaching position after  
 96 March 1, 2009. This subsection shall be subject to appropriations by the General  
 97 Assembly.

98 ~~(2) A teacher shall be granted two days of approved paid leave to prepare the portfolio~~  
 99 ~~of student work required for national certification.~~

100 ~~(3)~~(2) The Professional Standards Commission shall provide annually to the Department  
101 of Education a roster of teachers who have ~~attained and~~ retained national certification and  
102 are eligible for the annual increase.

103 ~~(4) The Professional Standards Commission shall be authorized to accept, receive,~~  
104 ~~distribute, and administer funds to be used for national certification program participation~~  
105 ~~fees.~~

106 (c.1) Any person who has enrolled in the process, as determined by the Professional  
107 Standards Commission, of attaining national certification on or before March 1, 2009, shall  
108 be eligible for salary increases, subject to appropriations by the General Assembly,  
109 pursuant to subsection (c) of this Code section if such person otherwise meets the  
110 requirements of subsection (c) of this Code section.

111 (d) Except as provided in subsection (c.1) of this Code section, on and after July 1, 2009,  
112 only teachers receiving a salary increase pursuant to this Code section as of March 1, 2009,  
113 shall be eligible to continue receiving such salary increases, subject to appropriations by  
114 the General Assembly, but only if such teachers otherwise meet all applicable  
115 requirements."

116 **SECTION 2.**

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