

House Bill 1136

By: Representatives Porter of the 143rd, Smyre of the 132nd, Hugley of the 133rd, Ashe of the 56th, Randall of the 138th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, the
2 "Quality Basic Education Act," so as to restore salary increases for persons receiving
3 certification from the National Board for Professional Teaching Standards; to eliminate the
4 requirement that the teacher be in a high-needs school; to eliminate the phase-out of the
5 salary increases for such certification; to provide for related matters; to repeal conflicting
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, the "Quality
10 Basic Education Act," is amended by revising Code Section 20-2-212.2, relating to salary
11 increase for persons receiving certification from National Board for Professional Teaching
12 Standards, as follows:

13 "20-2-212.2.

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

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

17 ~~(2) 'National national certification' means certification obtained from the National Board~~
18 ~~for Professional Teaching Standards.~~

19 ~~(b) For initial national certification prior to July 1, 2006, and subsequent renewals anytime~~
20 ~~thereafter;~~

21 ~~(1)~~ Any person who:

22 ~~(A)~~(1) Is currently teaching ~~full-time~~ in a Georgia public school and holds a valid
23 Georgia teaching certificate; and

24 ~~(B)~~(2) Has successfully completed the prerequisite portfolio of student work and
25 examination and has received national certification

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

39 (c) A teacher shall be granted two days of approved paid leave to prepare the portfolio
 40 of student work required for national certification.

41 (d) A portion of the national certification program participation fee may be paid by the
 42 state prior to certification for any person who:

43 (1) Is currently teaching in a Georgia public school and holds a valid Georgia teaching
 44 certificate;

45 (2) Has submitted an application and the initial qualifying payment to the National
 46 Board for Professional Teaching Standards; and

47 (3) Has successfully completed a screening process developed by the Professional
 48 Standards Commission.

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

55 ~~(3)(f)~~ (f) The portion of the national certification program participation fee paid by the
 56 participant shall be reimbursed by the state upon certification for any teacher who is
 57 eligible for an increase pursuant to ~~paragraph (1) of this subsection~~ (b) of this Code section.
 58 ~~This paragraph shall be subject to appropriations by the General Assembly.~~

59 ~~(4)(g)~~ (g) A teacher for whom the State of Georgia reimburses the cost of the participation fee
 60 and who does not teach in a Georgia public school for at least one year after receiving
 61 certification shall repay the reimbursement payment to the state. Repayment is not

62 required if the teacher is unable to complete the additional year of teaching due to the death
63 or disability of the teacher.

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

70 ~~(c) Except as provided for in subsections (b.1) and (c.1) of this Code section, for initial~~
71 ~~national certification between July 1, 2006, and March 1, 2009, and subsequent renewals~~
72 ~~anytime thereafter,~~

73 ~~(1) Any person who:~~

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

76 ~~(B) Has successfully completed the prerequisite portfolio of student work and~~
77 ~~examination and has received national certification~~

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

94 ~~(2) The Professional Standards Commission shall provide annually to the Department~~
95 ~~of Education a roster of teachers who have retained national certification and are eligible~~
96 ~~for the annual increase.~~

97 ~~(c.1) Any person who has enrolled in the process, as determined by the Professional~~
98 ~~Standards Commission, of attaining national certification on or before March 1, 2009, shall~~

99 ~~be eligible for salary increases, subject to appropriations by the General Assembly,~~
100 ~~pursuant to subsection (c) of this Code section if such person otherwise meets the~~
101 ~~requirements of subsection (c) of this Code section.~~
102 ~~(d) Except as provided in subsection (c.1) of this Code section, on and after July 1, 2009,~~
103 ~~only teachers receiving a salary increase pursuant to this Code section as of March 1, 2009,~~
104 ~~shall be eligible to continue receiving such salary increases, subject to appropriations by~~
105 ~~the General Assembly, but only if such teachers otherwise meet all applicable~~
106 ~~requirements."~~

107 **SECTION 2.**

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