

Georgia Rules and Regulations

Administrative Bulletin for October 2022

OFFICE OF SECRETARY OF STATE ADMINISTRATIVE PROCEDURE DIVISION

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Final rules filed with the Georgia Secretary of State during the month of *October 2022*:

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Final rules filed with the Georgia Secretary of State that became effective *October 2022*:

Department	Rules List	Action	Filed	Effective
505. PROFESSIONAL STANDARDS COMMISSION	505-2-.168	adopted	Oct. 3, 2022	Oct. 15
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Department 111. RULES OF DEPARTMENT OF COMMUNITY HEALTH

Chapter 111-2. HEALTH PLANNING

Subject 111-2-2. CERTIFICATE OF NEED

111-2-2-.07 Review Procedures

(1) Beginning of Review Process.

(a) When an application is deemed by the Department to be complete, the Department shall provide written notice to the applicant of the completeness of the application and the schedule for review. The Department shall provide similar notice to a newspaper of general circulation in the county of the project, to the appropriate Regional Development Center, and to the chief elected official of the county and municipal government, if any, within whose boundaries the proposed project would be located. The date on the letter of notification shall be deemed to be the date of notification and the beginning date of the Certificate of Need review cycle.

(b) The Department will schedule reviews so that, unless joined with another application, no review shall, except as noted in (d) below, take longer than one hundred and twenty (120) days from the date of notification of the beginning of review until the date the decision to issue or not to issue a Certificate of Need is sent electronically to the applicant. Absent good cause, the Department generally will not issue a decision prior to the sixtieth (60th) day of the review cycle.

(c) In the event that, from the time an application is declared complete until thirty (30) days thereafter, one or more additional applications are declared complete which involve similar projects in the same or overlapping service areas, the Department may declare that such applications will be joined with the first application for review purposes. Following such joinder, none of the subsequent applications so joined may be considered as a first application for purposes of future joinder. The Department shall notify all applicants whose applications have been joined and shall set a new time parameter for Department actions. The one hundred and twenty (120) day final decision deadline shall run from the latest date that any one of the joined applications was declared complete for review. Except as otherwise provided in Ga. Comp. R. & Regs. r. [111-2-2-.08\(1\)](#), such joinder shall be the sole method of comparative review for all applications filed after July 1, 2008.

(d) Where the Department determines that conditions exist which make it impractical to complete a review in one hundred and twenty (120) days, the Department may, on notification to the applicant, extend the time limit another thirty (30) days to one hundred and fifty (150) days. Conditions, including but not limited to the following, may constitute cause for extending the time:

1. The Department anticipates issuance of new demographic or utilization, data affecting the application;
2. The Department has received conflicting or contradictory information necessitating further investigation;
3. Results of impending legal action may have an effect on the application.

(e) For good cause shown, as shall be determined by the Department, a public hearing will be held at a time and location specified by the Department.

1. A request for a public hearing shall be signed by at least fifty (50) residents of the area where the project is located and must be received by the Department within twenty (20) days after the beginning date of the review cycle. The request shall include justification for the public hearing based on circumstances described in this paragraph.

2. To the extent possible, notification will be provided in a newspaper of general circulation in the area where the project is located approximately two weeks in advance of the hearing.

3. Any person desiring to offer testimony at the hearing will be given the opportunity to do so, but the providing of such testimony or evidence shall not confer upon the person or persons so testifying the status of "party" as that term is used in the Administrative Procedure Act.

4. Where distance and the nature of the project warrant, and within the budget constraints of the Department, the public hearing may be held by the Department in the area where the project is proposed to be located. Circumstances, which may indicate good cause for a hearing in the area, include but are not limited to:

(i) Projects, which could have significant effect on access to frequently used services by a sizable population group;

(ii) Projects generating strong conflicting viewpoints by the residents of an area;

(iii) Projects with potential for unusually significant impact on existing services.

5. A summary report of the hearing will be prepared, a copy of which will be sent to the party requesting the hearing and to the applicant. Such report will be made a part of the master record regarding the project. The Department may charge a fee for the summary report.

(f) If during the first two (2) months of the review of the application the Department finds there are factors that create a potential for denial of the application, the Department shall, on or before the sixtieth (60th) day of the review period, provide the applicant an opportunity to meet with the Department. The problems with the application will be described and an opportunity offered to amend or to withdraw the application or to submit additional information. The sixty (60) day meeting with the applicant(s) is restricted to the Department and the applicant(s). Parties opposing an application(s) may not attend or participate in an applicant sixty (60) day meeting. Such additional information must be submitted prior to the seventy-fifth (75th) day of the review period.

1. "Additional information" is information and data submitted in response to a direct request from the Department at the meeting afforded an applicant after the first two (2) months of the review of the application or in response to issues and concerns raised by the Department in said meeting, or in the lack of such a meeting or request by the Department, information and data submitted consistent with the scope, physical location, cost, charges, service, and owners in the originally submitted application. Additional information must be submitted to the Department prior to the seventy-fifth (75th) day of the review period.

2. "Amendment" is a revision to the additional information or application as originally submitted that is submitted to the Department no later than the one hundred and tenth (110th) day of the review cycle and that constitutes a change in scope, physical location, cost, charge, service, or owner. The following changes in an application will qualify as an amendment:

(i) A reduction or increase in the proposed physical space capacity; or

(ii) A reduction or increase in the number of proposed beds or service units (e.g., operating rooms); or

(iii) A change in the owners of the legal applicant entity, as long as the legal applicant entity remains the same; or

(iv) A reduction or increase in a proposal's capital or operating costs; or

(v) A change in site within three (3) miles of the site proposed in the original application or within the same service area as long as the population to be served and the service area to be served is not substantially different from that originally proposed as long as the proposed change does not require the application of a new need study or different rules; or

(vi) A reduction or subtraction in the scope of the original application; or

(vii) A change in the amount of commitment to indigent or charity care, projected utilization, financial information or patient charges that do not alter the basic financing or operations of the proposed project.

(g) The Department shall be notified with either a new application or written amendment to the current completed application when there are changes in the scope, physical location, cost, charges, service or owners of the applicant entity. Any revisions that constitute a total change in or addition to the scope of an application, in the location (except for the exemption in Ga. Comp. R. & Regs. r. 111-2-2-.07(1)(f) 2.(v)), or in the legal applicant that would require the submission of a new application. If the Department determines that the amendment constitutes a total change in either the scope, location, or legal applicant, the original application will be considered to be withdrawn and the applicant will be so notified. An application may be amended by the applicant at any time up to the one hundred and tenth (110th) day of the review cycle. (g.1) No party may oppose an application for a Certificate of Need for a proposed project unless:

1. Such party offers substantially similar services as proposed within a 35-mile radius, in Georgia, of the proposed project, or has a service area in Georgia that overlaps the applicant's proposed service area; or
2. Such party has submitted a competing application in the same batching cycle and is proposing to establish in Georgia the same type of facility proposed or offers, in Georgia, substantially similar services as proposed and has a service area located in Georgia that overlaps the applicant's proposed service area.

(h) Any party, pursuant to O.C.G.A. § [31-6-43\(d\)\(2\)](#), who is permitted to oppose an application, or an application(s) joined for review, must submit a notice of opposition, on the form provided by the Department, no later than the sixtieth (60th) day of the review cycle. The notice must contain the information specified by the form. The notice of opposition form submission shall also include one signed original of the written vendor lobbyist certification required by Ga. Comp. R. & Regs. r. [111-1-2-.03\(2\)](#). The notice of opposition must not contain the substantive arguments against a particular application.

1. Those parties who are opposed to an application will be given an opportunity to meet with the Department at a time and place specified by the Department after a review of the opposition notices. The opposition meeting provided for by O.C.G.A. § [31-6-43\(h\)](#), shall be held no earlier than the ninetieth (90th) day of the review cycle. The applicant(s) shall be entitled to attend the opposition meeting. Only one designated person on behalf of each party opposed to a particular application will be allowed to speak on behalf of the opposition to said application at the opposition meeting. The time period provided for the opposition spokesperson shall be determined in the sole discretion of the Department. The applicant(s) will not be allowed to speak in rebuttal of the opposition remarks at the opposition meeting. The Department shall make no formal substantive comments regarding the review of the application(s) at the opposition meeting. The opposition parties shall submit via the Department's web portal, substantive written comments and arguments regarding the nature of their opposition to the particular project. The opposition parties must provide one copy of the substantive opposition comments to the applicant at the opposition meeting. In order for an opposing party to have standing to appeal an adverse decision pursuant to O.C.G.A. § [31-6-44](#), such party must attend and participate in an opposition meeting. Substantive opposition comments must pertain to only one application and one applicant. In no case shall the Department accept substantive opposition comments that concern multiple applicants or applications.

2. Letters of support for a particular application must be submitted pursuant to and in compliance with Ga. Comp. R. & Regs. r. [111-2-2-.06\(6\)](#) via the Department's web portal and can be submitted no later than the one hundredth (100th) day of the review cycle.

3. Applicants shall be given the opportunity to respond to the substantive opposition comments made orally and submitted in writing at the opposition meeting. The last day for the applicant(s) to submit final amendments to the application and/or to respond to the opposition meeting comments shall be the one hundred and tenth (110th) day of the review cycle. The Department reserves the right, but is not required to, ask the applicant(s) for information in response to the substantive opposition comments. If the Department asks the applicant for information as a result of the comments provided at the opposition meeting, the applicant must submit the information requested no later than the one hundred and tenth (110th) day of the review cycle.

4. The Department shall provide written notification of its decision to issue or deny a Certificate of Need no later than the one hundred and twentieth (120th) day of the review cycle, or, if the project was extended, no later than the one hundred and fiftieth (150th) day of the review cycle.

(i) The Department, in accordance with the provisions of subsections (k)-(m) below, will give special expedited consideration to emergency expenditures required solely to cope with a situation posing an immediate threat to the health and safety of patients, visitors, or staff. The General Counsel, or his designee, upon a showing that a proposed replacement facility is critical to the welfare, health and stability of the immediate community as evidenced by written support from the local, county and state governing bodies may, authorize an expenditure based on a request by telephone, with written documentation to be provided later. In the event that the authorized emergency expenditure requires an application to replace an existing health care facility, the application will not be subject to joinder.

"Emergency expenditures" as set forth in this subparagraph (i) shall include but not be limited to expenditures necessitated by circumstances arising from an authorized hazardous condemnation as well as from acts of God including but not limited to earthquakes, hurricanes, tornados or floods.

(j) The Department will decline to review through Certificate of Need application capital expenditures that do not reach the dollar threshold as required under the Certificate of Need program, provided the person proposing such expenditure receives from the Department a prior written authorization for the expenditure. Where a proposal is considered to meet the language of this subsection, a letter describing the reasons for the expenditure, the cost and the anticipated date the expenditure is proposed to be made should be submitted to the Department, in accordance with the provisions of Ga. Comp. R. & Regs. r. [111-2-2-.10](#), prior to the obligation of such funds. If, in the opinion of the Department, the expenditure is consistent with those expenditures not subject to review the Department will issue a confirmation to the requestor, which shall serve as authorization for the expenditure.

(k) Pursuant to the provisions of O.C.G.A. § [31-6-43\(g\)](#), the Department shall conduct an expedited review with a review period of no longer than (30) thirty days for those projects deemed an emergency. When the Governor has declared a state of emergency in a region of the state, existing health care facilities in the affected region may seek emergency approval from the Department to make expenditures in excess of the capital expenditure threshold or to offer services that may otherwise require a Certificate of Need. The Department shall give special expedited consideration to such requests and may authorize such requests for good cause. Once the state of emergency has been lifted, any services offered by an affected health care facility under this subsection shall cease to be offered until such time as the health care facility that received the emergency authorization has requested and received a Certificate of Need. For purposes of this subsection, "good cause" means that authorization of the request shall directly resolve a situation posing an immediate threat to the health and safety of the public.

(l) The Department shall issue a decision on applications for a Certificate of Need for emergency projects as provided in subsection (k) above, no later than thirty (30) days after the application has been deemed complete for review; failure to issue the decision on or before the thirtieth (30th) day after it has been deemed complete for review shall result in an automatic approval of the application, subject to subsection (n) below; the decision issued by the Department shall be a summary statement of the findings during the review of the project;

(m) If, during the course of the review period, the Department finds that there are factors that create the potential for denial of the application, the Department shall immediately discontinue its emergency review, notify the applicant in writing of that decision, and review the application in accordance with the applicable non-emergency review procedures set forth in Ga. Comp. R. & Regs. r. [111-2-2-.07](#).

(n) The review of such projects as outlined in subsections (k) - (m) above shall be governed by the emergency provisions of the referenced subsections and not the provisions of subsections (a) - (h) above.

(o) The filing fee for applications of the type specifically listed in subsections (k) - (n) above shall be \$1,000.00, notwithstanding the filing fee provisions of Ga. Comp. R. & Regs. r. [111-2-2-.06\(4\)\(a\)](#).

Cite as Ga. Comp. R. & Regs. R. [111-2-2-.07](#)

AUTHORITY: O.C.G.A. § [31-6-43\(d\)](#).

HISTORY: Original Rule entitled "Review Procedures" adopted. F. Dec. 16, 2004; eff. Jan. 5, 2005.

Amended: F. Nov. 13, 2007; eff. Dec. 3, 2007.

Amended: F. Sept. 11, 2008; eff. Oct. 1, 2008.

Amended: F. Jan. 21, 2009; eff. Feb. 10, 2009.

Amended: F. Mar. 11, 2022; eff. Mar. 31, 2022.

Amended: F. Oct. 14, 2022; eff. Nov. 3, 2022.

Department 111. RULES OF DEPARTMENT OF COMMUNITY HEALTH

Chapter 111-8. HEALTHCARE FACILITY REGULATION

Subject 111-8-4. AMBULATORY SURGICAL TREATMENT CENTERS

111-8-4-.24 Applicability of Regulations

These regulations are applicable only to ambulatory surgical treatment centers and the services provided therein, and expressly do not modify or revoke any of the provisions of the published rules of the Department of Community Health, Chapter 111-8-40 (Rules and Regulations for Hospitals) or of revisions which may be made to said regulations.

Cite as Ga. Comp. R. & Regs. R. 111-8-4-.24

AUTHORITY: O.C.G.A. §§ [31-2-4](#) *et seq.*, 31-7-1 *et seq.*

HISTORY: Original Rule entitled "Applicability of Regulations" adopted. F. Feb. 20, 2013; eff. Mar. 12, 2013.

Amended: F. Oct. 14, 2022; eff. Nov. 3, 2022.

Department 111. RULES OF DEPARTMENT OF COMMUNITY HEALTH

Chapter 111-8. HEALTHCARE FACILITY REGULATION

Subject 111-8-7. RULES AND REGULATIONS FOR BIRTH CENTERS

111-8-7.22 Applicability of Regulations

These regulations are applicable to any building or facility which is or shall be classified by the Department of Community Health as a birth center and the services provided there in, and expressly do not modify or revoke any of the provisions of the published rules of the Department of Community Health, Chapter 111-8-40 (Rules and Regulations for Hospitals) or of revisions which may be made to said regulations.

Cite as Ga. Comp. R. & Regs. R. 111-8-7-.22

AUTHORITY: O.C.G.A. §§ [31-2-4](#), [31-7-1](#); O.C.G.A. Chapter 31-7, Article 1.

HISTORY: Original Rule entitled "Applicability of Regulations" adopted. F. Oct. 9, 2020; eff. Oct. 29, 2020.

Amended: F. Oct. 14, 2022; eff. Nov. 3, 2022.

Department 290. RULES OF DEPARTMENT OF HUMAN SERVICES

Chapter 290-5. PUBLIC HEALTH

Subject 290-5-32. [Repealed]

290-5-32-.01 [Repealed]

Cite as Ga. Comp. R. & Regs. R. 290-5-32-.01

AUTHORITY: O.C.G.A. §§ [31-2-2](#), [31-2-5](#).

HISTORY: Original Rule entitled "Definitions" was filed on September 18, 1974; effective October 8, 1974.

Amended: Rule repealed and Emergency Rule 290-5-32-0.4-.01, of the same title, adopted. Filed July 22, 1983; effective July 20, 1983, the date of adoption, to remain in effect for a period of 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule, as specified by the Agency.

Amended: Emergency Rule 290-5-32-0.4-.01 repealed and permanent Rule of the same title adopted. Filed October 20, 1983; effective November 9, 1983.

Repealed: F. Oct. 14, 2022; eff. Nov. 3, 2022.

290-5-32-.02 [Repealed]

Cite as Ga. Comp. R. & Regs. R. 290-5-32-.02

AUTHORITY: O.C.G.A. §§ [31-2-2](#), [31-2-5](#).

HISTORY: Original Rule entitled "Regulation of Abortion Procedures Subsequent to the First Trimester" was filed on September 18, 1974; effective October 8, 1974.

Amended: Rule repealed and Emergency Rule 290-5-32-0.4-.02, of the same title, adopted. Filed July 22, 1983; effective July 20, 1983, the date of adoption, to remain in effect for a period of 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule, as specified by the Agency.

Amended: Emergency Rule repealed and permanent Rule of the same title adopted. Filed October 20, 1983; effective November 9, 1983.

Repealed: F. Oct. 14, 2022; eff. Nov. 3, 2022.

290-5-32-.04 [Repealed]

Cite as Ga. Comp. R. & Regs. R. 290-5-32-.04

AUTHORITY: O.C.G.A. §§ [31-2-2](#), [31-2-5](#).

HISTORY: Original Rule entitled "Application" was filed on September 18, 1974; effective October 8, 1974.

Amended: Rule repealed and Emergency Rule 290-5-32-0.4-.04, entitled "Severability," adopted. Filed July 22, 1983; effective July 20, 1983, the date of adoption, to remain in effect for a period of 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule, as specified by the Agency.

Amended: Emergency rule repealed and permanent Rule of the same title adopted. Filed October 20, 1983; effective November 9, 1983.

Repealed: F. Oct. 14, 2022; eff. Nov. 3, 2022.

290-5-32-.05 [Repealed]

Cite as Ga. Comp. R. & Regs. R. 290-5-32-.05

AUTHORITY: O.C.G.A. §§ [31-2-2](#), [31-2-5](#).

HISTORY: Original Rule entitled "Procedure for Filing Certificate of Abortion" was filed on September 18, 1974; effective October 8, 1974.

Amended: Rule repealed and Emergency Rule 290-5-32-0.4-.05, entitled "Enforcement." adopted. Filed July 22, 1983; effective July 20, 1983, the date of adoption to remain in effect for a period of 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule, as specified by the Agency.

Amended: Emergency rule repealed and permanent Rule of the same title adopted. Filed October 20, 1983; effective November 9, 1983.

Repealed: F. Oct. 14, 2022; eff. Nov. 3, 2022.

Department 505. PROFESSIONAL STANDARDS COMMISSION

Chapter 505-2. CERTIFICATION

505-2-.168 Intervention Specialist Endorsement

(1) Eligibility Requirements.

(a) To be eligible for the Intervention Specialist Endorsement, the applicant must:

1. Hold a level four (4) or higher renewable professional or Induction certificate in one of the following fields: Elementary Education; Special Education General Curriculum/Elementary Education; Middle Grades Language Arts; Middle Grades Math; or Special Education General Curriculum with a language arts and/or mathematics concentration.

2. Complete other requirements outlined in GaPSC Rule [505-2-.14](#) ENDORSEMENTS.

(2) **In-Field Statement (See GaPSC Rule [505-2-.40](#) IN-FIELD ASSIGNMENT).** An individual with the Intervention Specialist Endorsement is in-field to teach students in early intervention programs who are at risk of not reaching or maintaining academic grade level in the base certificate(s) field(s). Individuals certified in Middle Grades Language Arts or Middle Grades Math will also be in-field to teach students in early intervention programs in the same content area in grades P-3.

Cite as Ga. Comp. R. & Regs. R. 505-2-.168

AUTHORITY: O.C.G.A. § [20-2-200](#).

HISTORY: Original Rule entitled "Intervention Specialist Endorsement" adopted. F. Jun. 11, 2014; eff. July 1, 2014, as specified by the Agency.

Amended: F. June 26, 2019; eff. July 1, 2019, as specified by the Agency.

Repealed: New Rule with same title adopted. F. Oct. 3, 2022; eff. Oct. 15, 2022, as specified by the Agency.

Department 505. PROFESSIONAL STANDARDS COMMISSION

Chapter 505-3. EDUCATOR PREPARATION RULES

505-3-.111 Elementary Agriculture Education (P-5) Endorsement Program

(1) **Purpose.** This rule states field-specific content standards for approving initial educator preparation programs that prepare individuals to teach agriculture in grades P-5 and supplements requirements in Rule [505-3-.01](#), REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

(2) **In-Field Statement.** Completers of the Elementary Agriculture Education (P-5) Endorsement program are qualified to teach Agriculture Education courses in grades P-5.

(3) **Requirements.**

(a) GaPSC approved professional educator preparation providers may seek state approval to offer this field as either a stand-alone endorsement program or as an endorsement program embedded in a GaPSC-approved initial preparation program or an advanced (degree-only) preparation program. In addition to meeting all applicable approval requirements and standards, embedded endorsement programs must meet requirements specified in paragraph (e) 3. (ix) of GaPSC Educator Preparation Rule [505-3-.01](#), REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

(b) The program shall consist of two options, one to prepare individuals certified in Elementary Education (P-5) to teach Agriculture Education content in grades P-5, and another option to prepare individuals certified in Agriculture Education (6-12) to teach children in grades P-5 Agriculture Education content. The EPP will determine the coursework appropriate for each candidate.

(c) To receive approval, a GaPSC-approved educator preparation provider shall offer a preparation program described in program planning forms, catalogs, and syllabi addressing the following standards.

1. The EPP shall ensure individuals certified in Agriculture Education (6-12) preparing to teach children in grades P-5 Agriculture Education content demonstrate mastery of the following Elementary Education standards, which are informed by standards published by the National Association for the Education of Young Children (2012):

(i) Promoting Child Development and Learning: Candidates prepared in P-5 agriculture education endorsement programs are grounded in a child development knowledge base. They use their understanding of children's characteristics and needs, and of multiple interacting influences on children's development and learning, to create environments that are healthy, respectful, supportive, and challenging for each child. The indicators are as follows:

(I) Knowing and understanding pre-Kindergarten through 5th grade children's characteristics and needs;

(II) Knowing and understanding the multiple influences on early development and learning; and

(III) Using developmental knowledge to create healthy, respectful, supportive, and challenging learning environments for all pre-Kindergarten through 5th grade children.

(ii) Using Developmentally Effective Approaches: Candidates prepared in P-5 agriculture education endorsement programs understand that teaching and learning with children is a complex enterprise, and that details vary depending on children's ages, characteristics, and the setting within which teaching and learning occur. They understand and use positive relationships and supportive interactions as the foundation for their work with children and families. Candidates know, understand, and use a wide array of developmentally appropriate approaches, instructional strategies, and tools to connect with children and families and positively influence each child's development and learning. The indicators are as follows:

(I) Establishing a classroom environment grounded in positive relationships and supportive interactions as the foundation of their work with children;

(II) Knowing and using effective research based strategies and tools for pre-Kindergarten through 5th grade children including the appropriate use of technology;

(III) Using a broad repertoire of developmentally appropriate research-based teaching/learning approaches (play, small group projects, open-ended questioning, group discussion, problem solving, cooperative learning, reflection, and inquiry experiences) to help pre-Kindergarten through 5th grade children develop intellectual curiosity, solve problems, and make decisions; and

(IV) Reflecting on one's own practice to promote positive outcomes for each child.

(iii) Using Content Knowledge to Build Meaningful Curriculum: Candidates prepared in P-5 agriculture education endorsement programs use their knowledge of agriculture education to design, implement, and evaluate experiences that promote positive development and learning for each and every child. Candidates understand the importance of developmental domains and academic (or content) disciplines in agriculture education curriculum. They know the essential concepts, inquiry tools, and structure of agriculture education, and can identify resources to deepen their understanding. Candidates use their own knowledge and other resources to design, implement, and evaluate meaningful, challenging curriculum that promotes comprehensive development and learning outcomes for every child. The indicators are as follows:

(I) Understanding content knowledge and resources in agriculture education;

(II) Knowing and using the central concepts, inquiry tools, and structures of agriculture education;

(III) Using content knowledge, appropriate content standards, and other resources to design, implement, and evaluate developmentally meaningful and challenging curriculum for each child; and

(IV) Recognizing and utilizing opportunities for appropriate curriculum integration.

2. The EPP shall ensure individuals certified in Elementary Education (P-5) preparing to teach Agriculture Education content in grades P-5 demonstrate mastery of the following Agriculture Education standards:

(i) Foundations of Agriculture

(I) Importance of agriculture

(II) Impact of agriculture on daily life

(III) Misconceptions of agriculture

(ii) Agriculture Systems

(I) Agricultural mechanics

(II) Plant systems

(III) Animal systems

(IV) Food systems

(iii) Environmental/Natural Resources

(I) Forestry

(II) Environmental

(III) Wildlife

(IV) Natural resource systems

(iv) Leadership and Career Readiness

(I) Leadership skills

(II) Characteristics for career readiness

(III) Youth leadership opportunities

(IV) Careers in agriculture as indicated by the National FFA Organization

Cite as Ga. Comp. R. & Regs. R. 505-3-.111

AUTHORITY: O.C.G.A. § [20-2-200](#).

HISTORY: Original Rule entitled "Elementary Agriculture Education (P-5) Endorsement Program" adopted. F. June 26, 2019; eff. July 1, 2019, as specified by the Agency.

Amended: F. June 15, 2021; eff. July 1, 2021, as specified by the Agency.

Repealed: New Rule with same title adopted. F. Oct. 3, 2022; eff. Oct. 15, 2022, as specified by the Agency.

Department 505. PROFESSIONAL STANDARDS COMMISSION

Chapter 505-6. PROFESSIONAL PRACTICES

505-6-.01 The Code of Ethics for Educators

(1) **Introduction.** The Code of Ethics for Educators defines the professional behavior of educators in Georgia and serves as a guide to ethical conduct. The Georgia Professional Standards Commission (GaPSC) has adopted standards that represent the conduct generally accepted by the education profession. The code defines unethical conduct justifying disciplinary sanction and provides guidance for protecting the health, safety and general welfare of students and educators, and assuring the citizens of Georgia a degree of accountability within the education profession.

(2) **Definitions.**

(a) "Breach of contract" occurs when an educator fails to honor a signed contract for employment with a school/school system by resigning in a manner that does not meet the guidelines established by the GaPSC.

(b) "Certificate" refers to any teaching, service, or leadership certificate, license, or permit issued by authority of the GaPSC.

(c) "Child endangerment" occurs when an educator disregards a substantial and/or unjustifiable risk of bodily harm to the student.

(d) "Complaint" is any written and signed statement from a local board, the state board, or one or more individual residents of this state filed with the GaPSC alleging that an educator has breached one or more of the standards in the Code of Ethics for Educators. A "complaint" will be deemed a request to investigate.

(e) "Denial" is the refusal to grant initial certification to an applicant for a certificate.

(f) "Educator" is a teacher, school or school system administrator, or other education personnel who holds a certificate issued by the GaPSC and persons who have applied for but have not yet received a certificate. For the purposes of the Code of Ethics for Educators, "educator" also refers to paraprofessionals, aides, and substitute teachers.

(g) "Inappropriate" is conduct or communication not suitable for an educator to have with a student. It goes beyond the bounds of an educator-student relationship.

(h) "Monitoring" is the quarterly appraisal of the educator's conduct by the GaPSC through contact with the educator and his or her employer. As a condition of monitoring, an educator may be required to submit a criminal background check (GCIC). The Commission specifies the length of the monitoring period.

(i) "No Probable Cause" is a determination by the GaPSC that, after a preliminary investigation, either no further action need be taken or no cause exists to recommend disciplinary action.

(j) "Physical abuse" is physical interaction resulting in a reported or visible bruise or injury to the student.

(k) "Reprimand" admonishes the certificate holder for his or her conduct. The reprimand cautions that further unethical conduct will lead to a more severe action.

(l) "Revocation" is the permanent invalidation of any certificate held by the educator. A Voluntary Surrender is equivalent to and has the same effect as a revocation. A Voluntary Surrender shall become effective upon receipt by the GaPSC.

(m) "Student" is any individual enrolled in the state's public or private schools from preschool through grade 12 or any individual under the age of 18. For the purposes of the Code of Ethics for Educators, the enrollment period for a graduating student ends on August 31 of the school year of graduation.

(n) "Suspension" is the temporary invalidation of any certificate for a period of time specified by the GaPSC.

(o) "Warning" warns the certificate holder that his or her conduct is unethical. The warning cautions that further unethical conduct will lead to a more severe action.

(3) **Standards.**

(a) Standard 1: **Legal Compliance** - An educator shall abide by federal, state, and local laws and statutes. Unethical conduct includes but is not limited to the commission or conviction of a felony or of any crime involving moral turpitude; of any other criminal offense involving the manufacture, distribution, trafficking, sale, or possession of a controlled substance or marijuana as provided for in Chapter 13 of Title 16; or of any other sexual offense as provided for in Code Section [16-6-1](#) through [16-6-17](#), [16-6-20](#), [16-6-22.2](#), or [16-12-100](#); or any other laws applicable to the profession. As used herein, conviction includes a finding or verdict of guilty, or a plea of nolo contendere, regardless of whether an appeal of the conviction has been sought; a situation where first offender treatment without adjudication of guilt pursuant to the charge was granted; and a situation where an adjudication of guilt or sentence was otherwise withheld or not entered on the charge or the charge was otherwise disposed of in a similar manner in any jurisdiction.

(b) Standard 2: **Conduct with Students** - An educator shall always maintain a professional relationship with all students, both in and outside the classroom. Unethical conduct includes but is not limited to:

1. Committing any act of child abuse, including physical and verbal abuse;
2. Committing any act of cruelty to children or any act of child endangerment;
3. Committing any sexual act with a student or soliciting such from a student;
4. Engaging in or permitting harassment of or misconduct toward a student;
5. Soliciting, encouraging, or consummating an inappropriate written, verbal, electronic, or physical relationship with a student;
6. Furnishing tobacco, alcohol, or illegal/unauthorized drugs to any student; or
7. Failing to prevent the use of alcohol or illegal or unauthorized drugs by students under the educator's supervision (including but not limited to at the educator's residence or any other private setting).

(c) Standard 3: **Alcohol or Drugs** - An educator shall refrain from the use of alcohol or illegal or unauthorized drugs during the course of professional practice. Unethical conduct includes but is not limited to:

1. Being on school or Local Unit of Administration (LUA)/school district premises or at a school or a LUA/school district-related activity while under the influence of, possessing, using, or consuming illegal or unauthorized drugs; and
2. Being on school or LUA/school district premises or at a school-related activity involving students while under the influence of, possessing, or consuming alcohol. A school-related activity includes, but is not limited to, any activity sponsored by the school or school system (booster clubs, parent-teacher organizations, or any activity designed to enhance the school curriculum i.e., Foreign Language trips, etc.).

(i) For the purposes of this standard, an educator shall be considered "under the influence" if the educator exhibits one or more of the following indicators, including but not limited to: slurred speech, enlarged pupils, bloodshot eyes,

general personality changes, lack of physical coordination, poor motor skills, memory problems, concentration problems, etc.

(d) Standard 4: **Honesty** - An educator shall exemplify honesty and integrity in the course of professional practice. Unethical conduct includes but is not limited to, falsifying, misrepresenting, or omitting:

1. Professional qualifications, criminal history, college or staff development credit and/or degrees, academic award, and employment history;
2. Information submitted to federal, state, local school districts and other governmental agencies;
3. Information regarding the evaluation of students and/or personnel;
4. Reasons for absences or leaves;
5. Information submitted in the course of an official inquiry/investigation; and
6. Information submitted in the course of professional practice.

(e) Standard 5: **Public Funds and Property** - An educator entrusted with public funds and property shall honor that trust with a high level of honesty, accuracy, and responsibility. Unethical conduct includes but is not limited to:

1. Misusing public or school-related funds;
2. Failing to account for funds collected from students or parents;
3. Submitting fraudulent requests or documentation for reimbursement of expenses or for pay (including fraudulent or purchased degrees, documents, or coursework);
4. Co-mingling public or school-related funds with personal funds or checking accounts; and
5. Using school or school district property without the approval of the local board of education/governing board or authorized designee.

(f) Standard 6: **Remunerative Conduct** - An educator shall maintain integrity with students, colleagues, parents, patrons, or businesses when accepting gifts, gratuities, favors, and additional compensation. Unethical conduct includes but is not limited to:

1. Soliciting students or parents of students, or school or LUA/school district personnel, to purchase equipment, supplies, or services from the educator or to participate in activities that financially benefit the educator unless approved by the local board of education/governing board or authorized designee;
2. Accepting gifts from vendors or potential vendors for personal use or gain where there may be the appearance of a conflict of interest;
3. Tutoring students assigned to the educator for remuneration unless approved by the local board of education/governing board or authorized designee; and
4. Coaching, instructing, promoting athletic camps, summer leagues, etc. that involves students in an educator's school system and from whom the educator receives remuneration unless approved by the local board of education/governing board or authorized designee. These types of activities must be in compliance with all rules and regulations of the Georgia High School Association.

(g) Standard 7: **Confidential Information** - An educator shall comply with state and federal laws and state school board policies relating to the confidentiality of student and personnel records, standardized test material and other information. Unethical conduct includes but is not limited to:

1. Sharing of confidential information concerning student academic and disciplinary records, health and medical information, family status and/or income, and assessment/testing results unless disclosure is required or permitted by law;
2. Sharing of confidential information restricted by state or federal law;
3. Violation of confidentiality agreements related to standardized testing including copying or teaching identified test items, publishing or distributing test items or answers, discussing test items, violating local school system or state directions for the use of tests or test items, etc.; and
4. Violation of other confidentiality agreements required by state or local policy.

(h) **Standard 8: Required Reports** - An educator shall file with the Georgia Professional Standards Commission reports of a breach of one or more of the standards in the Code of Ethics for Educators, child abuse (O.C.G.A. § [19-7-5](#)), or any other required report. Unethical conduct includes but is not limited to:

1. Failure to report to the Georgia Professional Standards Commission all requested information on documents required by the Commission when applying for or renewing any certificate with the Commission;
2. Failure to make a required report of an alleged or proven violation of one or more standards of the Code of Ethics for educators of which they have personal knowledge as soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner; and
3. Failure to make a required report of any alleged or proven violation of state or federal law as soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner. These reports include but are not limited to: murder, voluntary manslaughter, aggravated assault, aggravated battery, kidnapping, any sexual offense, any sexual exploitation of a minor, any offense involving a controlled substance and any abuse of a child if an educator has reasonable cause to believe that a child has been abused.

(i) **Standard 9: Professional Conduct** - An educator shall demonstrate conduct that follows generally recognized professional standards and preserves the dignity and integrity of the education profession. Unethical conduct includes but is not limited to a resignation that would equate to a breach of contract; any conduct that impairs and/or diminishes the certificate holder's ability to function professionally in his or her employment position; behavior or conduct that is detrimental to the health, welfare, discipline, or morals of students; or failure to supervise a student(s).

(j) **Standard 10: Testing** - An educator shall administer state-mandated assessments fairly and ethically. Unethical conduct includes but is not limited to:

1. Committing any act that breaches Test Security; and
2. Compromising the integrity of the assessment.

(4) **Reporting.**

(a) Educators are required to report a breach of one or more of the Standards in the Code of Ethics for Educators as soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner. Educators should be aware of legal requirements and local policies and procedures for reporting unethical conduct. Complaints filed with the Georgia Professional Standards Commission must be in writing and must be signed by the complainant (parent, educator, or other LUA/school district employee, etc.).

(b) The Commission notifies local and state officials of all disciplinary actions. In addition, suspensions and revocations are reported to national officials, including the NASDTEC Clearinghouse.

(5) Disciplinary Action.

(a) The Georgia Professional Standards Commission is authorized to suspend, revoke, or deny certificates, to issue a reprimand or warning, or to monitor the educator's conduct and performance after an investigation is held and notice and opportunity for a hearing are provided to the certificate holder. Any of the following grounds shall be considered cause for disciplinary action against the educator:

1. Unethical conduct as outlined in The Code of Ethics for Educators, Standards 1-10 (GaPSC Rule 505-6-.01);
2. Disciplinary action against a certificate on grounds consistent with those specified in the Code of Ethics for Educators, Standards 1-10 (GaPSC Rule 505-6-.01);
3. Order from a court of competent jurisdiction or a request from the Department of Human Resources that the certificate should be suspended or the application for certification should be denied for non-payment of child support (O.C.G.A. § [19-6-28.1](#) and § [19-11-9.3](#));
4. Notification from the Georgia Higher Education Assistance Corporation that the educator is in default and not in satisfactory repayment status on a student loan guaranteed by the Georgia Higher Education Assistance Corporation (O.C.G.A. § [20-3-295](#));
5. Suspension or revocation of any professional license or certificate;
6. Violation of any other laws and rules applicable to the profession (O.C.G.A. § [16-13-111](#)); and
7. Any other good and sufficient cause that renders an educator unfit for employment as an educator.

(b) An individual whose certificate has been revoked, denied, or suspended may not serve as a volunteer or be employed as an educator, paraprofessional, aide, substitute teacher or, in any other position during the period of his or her revocation, suspension or denial for a violation of The Code of Ethics. The superintendent and the educator designated by the superintendent/Local Board of Education shall be responsible for assuring that an individual whose certificate has been revoked, denied, or suspended is not employed or serving in any capacity in their district. Both the superintendent and the superintendent's designee must hold GaPSC certification. Should the superintendent's certificate be revoked, suspended, or denied, the Board of Education shall be responsible for assuring that the superintendent whose certificate has been revoked, suspended, or denied is not employed or serving in any capacity in their district.

Cite as Ga. Comp. R. & Regs. R. 505-6-.01

AUTHORITY: O.C.G.A. § [20-2-200](#).

HISTORY: Original Rule entitled "The Code of Ethics for Educators" adopted. F. July 10, 2000; eff. August 1, 2000, as specified by the Agency.

Amended: F. Sept. 10, 2001; eff. Oct. 1, 2001, as specified by the Agency.

Amended: F. June 27, 2002; eff. August 1, 2002, as specified by the Agency.

Amended: F. Sept. 19, 2002; eff. Oct. 15, 2002, as specified by the Agency.

Amended: F. June 23, 2003; eff. July 15, 2003, as specified by the Agency.

Amended: F. Aug. 20, 2004; eff. Sept. 15, 2004, as specified by the Agency.

Amended: F. July 21, 2005; eff. August 15, 2005, as specified by the Agency.

Amended: F. May 22, 2009; eff. June 15, 2009, as specified by the Agency.

Amended: F. Sept. 18, 2009; eff. Oct. 15, 2009, as specified by the Agency.

Amended: F. Oct. 7, 2014; eff. Oct. 15, 2014, as specified by the Agency.

Amended: F. May 22, 2015; eff. June 15, 2015, as specified by the Agency.

Amended: F. Dec. 20, 2017; eff. Jan. 1, 2018, as specified by the Agency.

Amended: F. Sep. 24, 2019; eff. Oct. 15, 2019, as specified by the Agency.

Amended: F. Mar. 26, 2021; eff. Apr. 15, 2021, as specified by the Agency.

Amended: F. Dec. 14, 2021; eff. Jan. 1, 2022, as specified by the Agency.

Repealed: New Rule with same title adopted. F. Oct. 3, 2022; eff. Oct. 15, 2022, as specified by the Agency.

Department 560. RULES OF DEPARTMENT OF REVENUE
Chapter 560-11. LOCAL GOVERNMENT SERVICES DIVISION
Subject 560-11-16. QUALIFIED TIMBERLAND PROPERTY

560-11-16-.05 Table of Commercial Timberland Per Acre Values by Ecological Region and Soil Productivity Classification

(1) For the purpose of prescribing the 2023 table of values for use in the appraisal of Qualified Timberland Property, the state shall be divided into four ecological regional valuation areas, and per acre values shall be assigned to qualified land according to soil productivity classifications 1 - 9 (W1-W9).

(a) **Ecological region #1** includes the following counties: Appling, Atkinson, Bacon, Brantley, Bryan, Camden, Charlton, Chatham, Clinch, Echols, Effingham, Glynn, Jeff Davis, Lanier, Liberty, Long, McIntosh, Pierce, Ware, and Wayne. The following per acre values shall be applied to each qualified acre according to soil productivity classifications W1 - W9:

W1-1,360, W2-1,173, W3-1,010, W4-879, W5-767, W6-662, W7-543, W8-468, W9-413.

(b) **Ecological region #2** includes the following counties: Baker, Ben Hill, Berrien, Bibb, Bleckley, Brooks, Bulloch, Burke, Calhoun, Candler, Chattahoochee, Clay, Coffee, Colquitt, Cook, Crawford, Crisp, Decatur, Dodge, Dooly, Dougherty, Early, Emanuel, Evans, Glascock, Grady, Houston, Irwin, Jefferson, Jenkins, Johnson, Laurens, Lee, Lowndes, Macon, Marion, Miller, Mitchell, Montgomery, Muscogee, Peach, Pulaski, Quitman, Randolph, Richmond, Schley, Screven, Seminole, Stewart, Sumter, Tattall, Taylor, Telfair, Terrell, Thomas, Tift, Toombs, Treutlen, Turner, Twiggs, Washington, Webster, Wheeler, Wilcox, and Wilkinson. The following per acre values shall be applied to each qualified acre according to soil productivity classifications W1 - W9:

W1-1,127, W2-971, W3-832, W4-720, W5-625, W6-551, W7-459, W8-398, W9-352.

(c) **Ecological region #3** includes the following counties: Baldwin, Banks, Barrow, Bartow, Butts, Carroll, Catoosa, Chattooga, Cherokee, Clarke, Clayton, Cobb, Columbia, Coweta, Dade, Dawson, DeKalb, Douglas, Elbert, Fayette, Floyd, Forsyth, Franklin, Fulton, Gordon, Greene, Gwinnett, Habersham, Hall, Hancock, Haralson, Harris, Hart, Heard, Henry, Jackson, Jasper, Jones, Lamar, Lincoln, Madison, McDuffie, Meriwether, Monroe, Morgan, Murray, Newton, Oconee, Oglethorpe, Paulding, Pickens, Pike, Polk, Putnam, Rockdale, Spalding, Stephens, Talbot, Taliaferro, Troup, Upson, Walker, Walton, Warren, White, Whitfield, and Wilkes. The following per acre values shall be applied to each qualified acre according to soil productivity classifications W1 - W9:

W1-1,214, W2-1,074, W3-946, W4-830, W5-729, W6-654, W7-563, W8-497, W9-444.

(d) **Ecological region #4** includes the following counties: Fannin, Gilmer, Lumpkin, Rabun, Towns, and Union. The following per acre values shall be applied to each qualified acre according to soil productivity classifications W1 - W9:

W1-1,788, W2-1,578, W3-1,396, W4-1,218, W5-1,065, W6-938, W7-802, W8-705, W9-624.

(2) The appraised value produced using the table of values in paragraph (1) of this Rule shall be determined and, if needed, adjusted so that the final value is at least 175% of such property's forest land conservation use value.

Cite as Ga. Comp. R. & Regs. R. 560-11-16-.05

AUTHORITY: O.C.G.A. §§ [48-2-12](#), [48-5-7](#), [48-5-602](#), [48-5-607](#).

HISTORY: Original Rule entitled "Table of Commercial Timberland Per Acre Values by Ecological Region and Soil Productivity Classification" adopted. F. Feb. 5, 2021; eff. Feb. 25, 2021.

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Amended: F. Oct. 4, 2022; eff. Oct. 24, 2022.

Appendix 560-11-16-A Qualified Timberland Property Appraisal Manual

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