

# Georgia Rules and Regulations

## Administrative Bulletin for April 2023

### OFFICE OF SECRETARY OF STATE ADMINISTRATIVE PROCEDURE DIVISION

5800 Jonesboro Road  
Morrow, GA 30260  
(678) 364-3785

Final rules filed with the Georgia Secretary of State during the month of *April 2023*:

#### Table of Contents

Department	Rules List	Action	Filed	Effective	Page
160. RULES OF GEORGIA DEPARTMENT OF EDUCATION	<a href="#">160-1-4-.315</a>	submitted	Apr. 4		5
	<a href="#">160-1-4-.316</a>	submitted	Apr. 27		5
297. GRANTS OF JUDICIAL COUNCIL OF GEORGIA ADMINISTRATIVE OFFICE OF THE COURTS	<a href="#">297-1-.03</a>	submitted	Apr. 28		7
360. RULES OF GEORGIA COMPOSITE MEDICAL BOARD	<a href="#">360-3-.02</a>	amended	Apr. 20	May 10, 2023	10
	<a href="#">360-5-.03</a>	amended	Apr. 17	May 7, 2023	14
	<a href="#">360-6-.03</a>	amended	Apr. 17	May 7, 2023	17
	<a href="#">360-15-.01</a>	amended	Apr. 17	May 7, 2023	19
	<a href="#">360-39-.03</a>	amended	Apr. 20	May 10, 2023	22
	<a href="#">360-39-.04</a>	amended	Apr. 17	May 7, 2023	22
	<a href="#">360-41-.01</a> --- <a href="#">360-41-.04</a>	adopted	Apr. 26	May 16, 2023	24
505. PROFESSIONAL STANDARDS COMMISSION	<a href="#">505-3-.24</a> , <a href="#">505-3-.54</a> --- <a href="#">505-3-.58</a> , <a href="#">505-3-.60</a> , <a href="#">505-3-.83</a> , <a href="#">505-3-.91</a> , <a href="#">505-3-.98</a> , <a href="#">505-3-.99</a> , <a href="#">505-3-.101</a> , <a href="#">505-3-.102</a> , <a href="#">505-3-.113</a>	adopted	Apr. 4	Apr. 15, 2023	29

Department	Rules List	Action	Filed	Effective	Page
511. RULES OF GEORGIA DEPARTMENT OF PUBLIC HEALTH	<a href="#">511-6-1-.03</a> , <a href="#">511-6-1-.06</a> , <a href="#">511-6-1-.08</a> , <a href="#">511-6-1-.10</a>	non- substantive change	Apr. 20	April 20, 2023	98
513. RULES OF PUBLIC RETIREMENT SYSTEMS	<a href="#">513-17-1-.01</a> , <a href="#">513-17-1-.02</a>	adopted	Apr. 24	May 14, 2023	144

Final rules filed with the Georgia Secretary of State that became effective *April 2023*:

Department	Rules List	Action	Filed	Effective
110. RULES OF GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS	<a href="#">110-38-1-.01</a> --- <a href="#">110-38-1-.04</a>	adopted	Mar. 20, 2023	Apr. 9
111. RULES OF DEPARTMENT OF COMMUNITY HEALTH	<a href="#">111-1-1-.01</a> , <a href="#">111-1-1-.02</a>	adopted	Mar. 15, 2023	Apr. 4
	<a href="#">111-8-22-.06</a>	amended	Mar. 15, 2023	Apr. 4
160. RULES OF GEORGIA DEPARTMENT OF EDUCATION	<a href="#">160-4-7-.03</a> , <a href="#">160-4-7-.16</a> , <a href="#">160-4-7-.18</a>	amended	Mar. 23, 2023	Apr. 12
351. GEORGIA ACCESS TO MEDICAL CANNABIS COMMISSION	<a href="#">351-1-.01</a> --- <a href="#">351-1-.05</a>	adopted	Mar. 16, 2023	Apr. 5
	<a href="#">351-2-.01</a>	adopted	Mar. 16, 2023	Apr. 5
	<a href="#">351-3-.01</a> --- <a href="#">351-3-.03</a>	adopted	Mar. 16, 2023	Apr. 5
	<a href="#">351-4-.01</a> --- <a href="#">351-4-.09</a> , <a href="#">351-4-.11</a> , <a href="#">351-4-.12</a>	adopted	Mar. 16, 2023	Apr. 5
	<a href="#">351-5-.01</a> --- <a href="#">351-5-.05</a>	adopted	Mar. 16, 2023	Apr. 5
	<a href="#">351-6-.01</a> --- <a href="#">351-6-.10</a>	adopted	Mar. 16, 2023	Apr. 5
	<a href="#">351-7-.01</a> --- <a href="#">351-7-.10</a>	adopted	Mar. 16, 2023	Apr. 5
	<a href="#">351-8-.01</a> --- <a href="#">351-8-.06</a>	adopted	Mar. 16, 2023	Apr. 5
375. RULES OF DEPARTMENT OF DRIVER SERVICES	<a href="#">375-3-1-.02</a>	amended	Mar. 15, 2023	Apr. 4
391. RULES OF GEORGIA DEPARTMENT OF NATURAL RESOURCES	<a href="#">391-5-1-.05</a>	amended	Mar. 29, 2023	Apr. 18
505. PROFESSIONAL STANDARDS COMMISSION	<a href="#">505-2-.39</a>	amended	Mar. 24, 2023	Apr. 15
	<a href="#">505-3-.24</a> , <a href="#">505-3-.54</a> --- <a href="#">505-3-.58</a> , <a href="#">505-3-.60</a> , <a href="#">505-3-.83</a> , <a href="#">505-3-.91</a> , <a href="#">505-3-.98</a> , <a href="#">505-3-.99</a> , <a href="#">505-3-.101</a> , <a href="#">505-3-.102</a> , <a href="#">505-3-.113</a>	adopted	Apr. 4, 2023	Apr. 15
511. RULES OF GEORGIA DEPARTMENT OF PUBLIC HEALTH	<a href="#">511-3-8-.01</a> --- <a href="#">511-3-8-.24</a>	adopted	Mar. 8, 2023	Apr. 6

<b>Department</b>	<b>Rules List</b>	<b>Action</b>	<b>Filed</b>	<b>Effective</b>
560. RULES OF DEPARTMENT OF REVENUE	<a href="#">560-11-6-.09</a>	amended	Mar. 13, 2023	Apr. 2
	<a href="#">560-11-11-.12</a>	amended	Mar. 13, 2023	Apr. 2
691. RULES OF STATE CHARTER SCHOOLS COMMISSION OF GEORGIA	<a href="#">691-2-.06</a>	amended	Mar. 29, 2023	Apr. 18
	<a href="#">691-2-.10</a>	adopted	Mar. 29, 2023	Apr. 18

# Department 160. RULES OF GEORGIA DEPARTMENT OF EDUCATION

## Chapter 160-1.

### Subject 160-1-4. GRANT PROGRAMS

#### 160-1-4-.315 Individuals with Disabilities Education Act Capacity Building Grant

1. **Purpose of Grant.** The purpose of the Individuals with Disabilities Education Act Capacity Building Grant is to provide local educational agencies ("LEA") and Georgia Network for Educational and Therapeutic Support ("GNETS") with federal funding to support students with disabilities in one or more of the following priority areas: (1) dyslexia supports, (2) multi-sensory reading initiatives, (3) therapeutic services, or (4) evidenced-based reading programs.

2. **Term and Conditions.** Grants are awarded through a competitive process. LEAs and GNETS fiscal agents must use grant funds to provide funding for professional development, related supplies, and contracted services to support the identified priority areas and students. Eligible recipients must submit a (1) plan for use of funds, (2) plan for monitoring and evaluation, and (3) proposed budget and funding request. All recipients must submit a completion report and all other reports required by the Georgia Department of Education ("GaDOE"). The grant awards are one-time funds for use during the fiscal year of the award.

3. **Eligible Recipient(s).** Eligible recipients must be an LEA or a GNETS fiscal agent to receive federal grant funds.

4. **Criteria for Award.** All LEAs and GNETS fiscal agents that are eligible to receive federal grant funds may request to receive this grant. All recipients will receive their equitable share based on size and the number of students until funds are exhausted. GaDOE will review grant applications for completeness and compliance with application and eligibility guidelines. All required materials, including forms and appendices, must be submitted for the application to be considered complete and eligible for funding consideration.

5. **Directions and Deadlines for Applying.** Information about the grant, including the application and deadline, can be found on GaDOE's Division of Special Education Services and Supports' webpage or by contacting [specialeducation@doe.k12.ga.us](mailto:specialeducation@doe.k12.ga.us). Also, the Division of Special Education Services and Supports will provide information about the grant with all eligible LEAs and GNETS.

**Cite as** Ga. Comp. R. & Regs. R. 160-1-4-.315

**AUTHORITY:** O.C.G.A. § [20-2-240](#).

**HISTORY:** Original grant description entitled "Individuals with Disabilities Education Act Capacity Building Grant." Submitted April 4, 2023.

#### 160-1-4-.316 Stronger Connections Grant

1. **Purpose of Grant.** The primary purpose of the Stronger Connections Grant is to provide grant funding for school safety-related (1) programs and activities, (2) professional development and training, (3) personnel, and (4) equipment. Additionally, these grant funds may be used for any other activity to support safe and healthy students as identified in the grant application.

2. **Term and Conditions.** An eligible grant recipient must submit an application that clearly articulates the local educational agency's ("LEA") (1) need for funding as it relates to supporting the health and safety of students, (2)

selection of grant category, (3) proposed expenditures, and (4) budget. The LEA must also describe how it plans to engage with community stakeholders and provide letters of support. Grant recipients must abide by the fundamental requirements of Title IV, Part A, such as supplement - not supplant, maintenance of effort, and the provision of equitable services to private school students and personnel. Also, grant recipients must submit a completion report and all other reports required by the Georgia Department of Education ("GaDOE"). The grant awards are one-time funds for use during the fiscal year of the award.

**3. Eligible Recipient(s).** Any Georgia LEA that is eligible to receive a Title IV, Part A formula allocation may apply for this grant.

**4. Criteria for Award.** Submitted applications are initially reviewed for completeness, ensuring that the requirements, as described in the application, are met. If all requirements are met, then the application will be reviewed and scored by a GaDOE-approved and trained reviewer. Funding will be awarded based on rank (the highest score first) and available funding until funds are exhausted. Applications must meet or exceed the minimum score set forth in the application to be considered for funding.

**5. Directions and Deadlines for Applying.** During the application period, applications will be made available through an electronic link on the Office of Whole Child Supports webpage. Included on that webpage will be the deadline for applying. Interested LEAs may also contact the Office of Whole Child Supports - Health, Wellness, and Safety Division at [wholechild@doe.k12.ga.us](mailto:wholechild@doe.k12.ga.us) for additional information.

**Cite as** Ga. Comp. R. & Regs. R. 160-1-4-.316

**AUTHORITY:** O.C.G.A. § [20-2-240](#).

**HISTORY:** Original grant description entitled "Stronger Connections Grant." Submitted April 27, 2023.

# **Department 297. GRANTS OF JUDICIAL COUNCIL OF GEORGIA ADMINISTRATIVE OFFICE OF THE COURTS**

## **Chapter 297-1. GRANT PROGRAMS**

### **297-1-.03 Legal Assistance to Families of Indigent Patients Program**

I. Name of Grant Program: Civil Legal Assistance to Families of Indigent Patients Program (Short name: Medical-Legal Partnerships Program).

II. Legal Authority: O.C.G.A. § [15-5-24](#) and Supreme Court of Georgia Order of January 15, 1981 relating to the duties of the Judicial Council/Administrative Office of the Courts.

III. Definition: This is a statewide program designed to provide civil legal services to indigent hospitalized patients, particularly medically fragile children, and their caregivers.

IV. Scope: According to the National Center for Medical-Legal Partnerships (2020), about 60% of a person's health is determined by social factors, including household income, education, employment, and family stability. Georgia ranks 38th in the nation in child and family well-being, according to the 2021 Kids Count Data Book. According to the American Health Rankings' state findings for 2021, the overall health outcomes for children in Georgia ranked 33rd in the nation, with socioeconomic factors (38th in the nation), economic resources (44<sup>th</sup> in the nation), and children in poverty (33<sup>rd</sup> in the nation) being significant factors for poor outcomes. Similarly, a 2018 report from Voices for Georgia's Children regarding barriers to healthcare stated that Georgia had the 7th highest rate for uninsured children and determined that the key barriers to healthcare that children faced were poverty, health literacy, and system navigation.

Patients with access to medical-legal partnerships see improvements in health outcomes, reductions in healthcare expenditures, and increased access to government benefits. An analysis of clients served by Georgia's Health Law Partnership (HeLP) from 2006 to 2018 found that, through the program, 657 children with neurodevelopmental disabilities were able to have their legal concerns addressed and obtained and retained benefits exceeding 4.9 million; these services also resulted in improved access to education resources, as well as short- and long-term financial cost savings for both families and the healthcare system. Studies around the country have found similar results.

V. Purpose: The purpose of this program is to support civil legal services for patients and families with low incomes who are being treated at Georgia hospitals through Medical-Legal Partnerships. Medical-Legal Partnerships (MLPs) combine the health care expertise of hospital professionals with the legal expertise of attorneys to reduce health disparities and address social determinants of health. Lawyers are embedded in hospitals to facilitate seamless access to both healthcare and legal assistance; MLPs foster collaboration between healthcare and legal professionals, improve health outcomes for patients, and result in lower costs to hospitals as a result of uncompensated care and Medicare readmission penalties.

#### VI. Grant Specifics:

A. Eligible Services: This program focuses on serving indigent patients and their caregivers by providing funds to non-profit organizations for attorneys to support medical-legal partnerships (MLPs), which combine the health care expertise of hospital professionals with the legal expertise of attorneys to improve the health of patients in Georgia.

B. Excluded Services: Certain services are specifically excluded from this program to include the following:

1. Class action suits;
2. Criminal defense;

3. Deportation proceedings;
4. Juvenile delinquency;
5. Indirect legal services such as attorney training;
6. Matters to be adjudicated in courts outside of Georgia; and
7. Other proceedings not related to client safety, stability, or economic security.

C. Eligible Clients: Patients and caregivers in need of civil legal service and whose income does not exceed 200% of federal poverty guidelines.

D. Eligible Grantees:

1. Eligible grantees must be non-profit organizations registered and in good standing with the State of Georgia with demonstrated experience providing civil legal services.
2. Recipients must also demonstrate they have the personnel and expertise necessary to deliver the services required, that their service delivery structure can adequately provide coverage throughout the geographical area for which the services are proposed, and that they have sufficient administrative recordkeeping capabilities to fulfill reporting requirements necessary for the evaluation of their grant services.
3. Community partnerships are critical to achieving success with this program. The applicants must show broad community support and the support and cooperation of local hospitals and other health-related service providers. Letters of support or other evidence establishing these relationships should accompany applications.

VII. General Terms and Conditions: Grants will be awarded for a one-year term. The amount of funds available for distribution to grantees may change each year based on the amount of funds appropriated to the Judicial Council/Administrative Office of the Courts and the cost of the administrative oversight of these funds. The grant awards are generally announced in July.

Grantees will be required to report to the Judicial Council/Administrative Office of the Courts every six months detailing how the grant funds were specifically used to assist patients and their caregivers throughout Georgia.

VIII. Criteria for the Award of Grants:

- A. Grants shall be awarded to eligible providers as defined in VI.D.1.
- B. Preference will be given to providers with experience delivering medical-legal partnership services.
- C. Preference will be given to proposals including documented commitments from local partners for the contribution of resources (fiscal or in kind) to the proposal.
- D. Preference will be given to proposals connected to healthcare providers serving populations with higher rates of indigency/poverty.
- E. Allocation of grants will seek to maximize the return to state government, local government, and clients.

IX. Directions and Deadlines for Application: Applications for grant funds **must be submitted via email** to the Judicial Council/Administrative Office of the Courts at [grants@georgiacourts.gov](mailto:grants@georgiacourts.gov).

Comments may be submitted to the Judicial Council/Administrative Office of the Courts at [grants@georgiacourts.gov](mailto:grants@georgiacourts.gov) or (404) 656-5171.



**Cite as** Ga. Comp. R. & Regs. R. 297-1-.03

**AUTHORITY:** O.C.G.A. § [15-5-24](#).

**HISTORY:** Original grant description entitled "Legal Assistance to Families of Indigent Patients Program."  
Submitted April 28, 2023.

# Department 360. RULES OF GEORGIA COMPOSITE MEDICAL BOARD

## Chapter 360-3. INVESTIGATIONS AND DISCIPLINE

### 360-3-.02 Unprofessional Conduct Defined

O.C.G.A. §§ [43-1-19](#) and [43-34-37](#) authorize the Board to take disciplinary action against licensees for unprofessional conduct. "Unprofessional conduct" shall include, but not be limited to, the following:

(1) Prescribing controlled substances for a known or suspected habitual drug abuser or other substance abuser in the absence of substantial justification.

(2) Writing prescriptions for controlled substances for personal use or, except for documented emergencies, for immediate family members. For purposes of this rule, "immediate family members" include spouses, children, siblings, and parents.

(3) Prescribing, ordering, dispensing, administering, selling or giving any amphetamine, sympathomimetic amine drug or compound designated as a Schedule II Controlled Substance under O.C.G.A. T. 16, Ch. 13, to or for any person except in the following situations:

(a) Treatment of any of the following conditions:

1. Attention deficit disorder;
2. Drug induced brain dysfunction;
3. Narcolepsy and/or hypersomnolence;
4. Epilepsy; or
5. Depression or other psychiatric diagnosis.
6. Weight loss management, if drug has been approved by the FDA for that indication.

(b) For clinical investigations conducted under protocols approved by a state medical institution permitted by the Georgia Department of Human Services (DHS) with human subject review under the guidelines of the United States Department of Health and Human Services.

(4) Pre-signing prescriptions that have the patient's name, type of medication, or quantity blank.

(5) Prescribing controlled substances (O.C.G.A. T. 16, Ch. 13, Art. 2) and/or dangerous drugs (O.C.G.A. T. 16, Ch. 13, Art. 3) for a patient based solely on a consultation via electronic means with the patient, patient's guardian or patient's agent. This shall not prohibit a licensee from prescribing a dangerous drug for a patient pursuant to a valid physician- patient relationship in accordance with O.C.G.A. [33-24-56.4](#) or a licensee who is on-call or covering for another licensee from prescribing up to a 30-day supply of medications for a patient of such other licensee nor shall it prohibit a licensee from prescribing medications when documented emergency circumstances exist.

This shall also not prevent a licensed physician from prescribing Schedule II sympathomimetic amine drugs for the treatment of attention deficit disorder to a patient in the physical presence of a licensed nurse, provided the initial diagnosis was made and an initial prescription was issued in accordance with [21 U.S.C. §829\(e\)](#), as amended from time to time, including but not limited to the following:

- (a) The physician has conducted at least one in-person medical evaluation of the patient; or
- (b) The physician is covering for a licensee who is temporarily unavailable and has conducted at least one in-person medical evaluation of the patient; or
- (c) The physician is engaged in the practice of telemedicine in accordance with Board Rule [360-3-.07](#) and with [21 U.S.C. §§802\(54\)](#) and [829\(e\)\(3\)\(A\)](#), including, but not limited to:
  - 1. Where the patient is being treated by, and physically located in, a hospital or clinic registered with the U.S. Drug Enforcement Agency ("DEA"), the physician is registered with the DEA, and all other requirements of [21 U.S.C. §802\(54\)\(A\)](#) are met; or
  - 2. Where the patient is being treated by, and physically in the presence of, a licensee who is registered with the DEA, and all other requirements of [21 U.S.C. §802\(54\)\(B\)](#) are met; or
  - 3. Where the physician has obtained from the U.S. Attorney General a special registration for telemedicine in accordance with [21 U.S.C. §§802\(54\)\(E\)](#) and [831\(h\)](#).
- (6) Providing treatment via electronic or other means unless a history and physical examination of the patient has been performed by a Georgia licensee. This shall not prohibit a licensee who is on call or covering for another licensee from treating and/or consulting a patient of such other licensee. Also, this paragraph shall not prohibit a patient's attending physician from obtaining consultations or recommendations from other licensed health care providers.
- (7) Failing to maintain appropriate patient records whenever Schedule II, III, IV or V controlled substances are prescribed. Appropriate records, at a minimum, shall contain the following:
  - (a) The patient's name and address;
  - (b) The date, drug name, drug quantity, and patient's diagnosis necessitating the Schedule II, III, IV, or V controlled substances prescription; and
  - (c) Records concerning the patient's history.
- (8) Committing any act of sexual intimacy, abuse, misconduct, or exploitation of any individual related to the physician's practice of medicine regardless of consent. The rule shall apply to former patients where the licensee did not terminate in writing the physician patient relationship before engaging in a romantic or sexual relationship with the patient and/or where the licensee used or exploited the trust, knowledge, emotions or influence derived from the prior professional relationship. The Board will consider the physician patient relationship terminated if the physician has not evaluated or treated the patient for a period of at least two (2) years.
- (9) Failing to comply with the provisions of O.C.G.A. Section [31-9-6.1](#) and Chapter 360-14 of the Rules of Georgia Composite Medical Board relating to informed consent, which requires that certain information be disclosed and that consent be obtained regarding any surgical procedure performed under general anesthesia, spinal anesthesia, or major regional anesthesia or an amniocentesis procedure or a diagnostic procedure that involves the intravenous injection of a contrast material.
- (10) Failing to conform to the recommendation of the Centers for Disease Control for preventing transmission of the Human Immunodeficiency Virus, Hepatitis B Virus, Hepatitis C Virus, and Tuberculosis to patients during exposure-prone invasive procedures. It is the responsibility of all persons currently licensed by the Board to maintain familiarity with these recommendations, which the Board considers the minimum standards of acceptable and prevailing medical practice.
- (11) Failing to timely respond to an investigative subpoena issued by the Board.

(12) Conducting a physical examination of the breast and/or genitalia without a chaperone present, unless the patient or the patient's parent or guardian specifically requests that a chaperone not be present for this portion of the clinical encounter which shall be documented in the patient's medical record. Physicians at their discretion may refuse to conduct an examination of the breast and/or genitalia without a chaperone present.

(13) Practicing medicine while mentally, physically, or chemically impaired.

(14) Failing to use such means as history, physical examination, laboratory, or radiographic studies, when applicable, to diagnose a medical problem.

(15) Failing to use medications and other modalities based on generally accepted or approved indications, with proper precautions to avoid adverse physical reactions, habituation, or addiction in the treatment of patients. However, nothing herein shall be interpreted to prohibit investigations conducted under protocols approved by a state medical institution permitted by DHS and with human subject review under the guidelines of the United States Department of Health and Human Services.

(16) Failing to maintain patient records documenting the course of the patient's medical evaluation, treatment, and response.

(a) A physician shall be required to maintain a patient's complete medical record, which may include, but is not limited to, the following: history and physical, progress notes, X-ray reports, photographs, laboratory reports, and other reports as may be required by provision of the law. A physician shall be required to maintain a patient's complete treatment records for a period of no less than 10 years from the patient's last office visit.

(b) The requirements of this rule shall not apply to a physician who has retired from or sold his or her medical practice if:

1. such physician has notified his or her active patients of retirement from or sale of practice by mail, at the last known address of his or her patients, offering to provide the patient's records or copies thereof to another provider of the patient's choice and, if the patient so requests, to the patient;

2. has caused to be published, in the newspaper of greatest circulation in each county in which the physician practices or practiced and in a local newspaper that serves the immediate practice area, a notice which shall contain the date of such retirement or sale that offers to provide the patient's records or copies thereof to another provider of the patient's choice, and if the patient so requests, to the patient; and

3. has placed in a conspicuous location in or on the facade of the physician's office, a sign announcing said retirement or sale of the practice. The sign shall be placed 30 days prior to retirement or the sale of the practice and shall remain until the date of retirement or sale.

4. Both the notice and sign required by rule [360-3-.02](#) shall advise the physician's patients of their opportunity to transfer or receive their records.

(c) The period specified in this rule may be less than the length of time necessary for a physician to protect himself or herself against other adverse actions. Therefore, physicians may wish to seek advice from private counsel or their malpractice insurance carrier.

(17) Continuing to practice after the expiration date of the license.

(18) Any other practice determined to be below the minimal standards of acceptable and prevailing practice.

(19) Providing a false, deceptive or misleading statement(s) as a medical expert.

(20) Failing to report to the Board within 30 days of becoming unable to practice medicine with reasonable skill and safety by result of illness or use of alcohol, drugs, narcotics, chemicals, or any other type of material, or as a result of any mental or physical condition, unless the physician has reported to the Physician Health Program.

(21) (For a physician) Delegating the injection of botulinum toxin and/or dermal fillers to medical assistants.

(22) Failing to comply with Rule [360-3-.06](#).

**Cite as** Ga. Comp. R. & Regs. R. 360-3-.02

**AUTHORITY:** O.C.G.A. §§ [16-13-41](#), [16-13-74](#), [31-9-6.1](#), [31-33-2](#), [43-1-19](#), [43-1-25](#), [43-34-5\(c\)](#), [43-34-8\(a\)\(7\)](#), [43-34-21](#), [43-34-23](#), [43-34-24](#), [43-34-24.1](#), [43-34-25](#), [43-34-37](#), [21 U.S.C. §802\(54\)](#) (the **Ryan Haight Act**).

**HISTORY:** Original Rule entitled "Unprofessional Conduct Defined" adopted. F. Jan. 24, 2002; eff. Feb. 13, 2002.

**Amended:** F. Sept. 18, 2003; eff. Oct. 8, 2003.

**Amended:** F. Dec. 10, 2004; eff. Dec. 30, 2004.

**Amended:** F. May 10, 2005; eff. May 30, 2005.

**Amended:** F. Feb. 10, 2006; eff. Mar. 2, 2006.

**Amended:** F. Sept. 19, 2007; eff. Oct. 9, 2007.

**Amended:** F. Nov. 10, 2008; eff. Nov. 30, 2008.

**Repealed:** New Rule of same title adopted. F. May 18, 2010; eff. June 7, 2010.

**Repealed:** New Rule of same title adopted. F. Jan. 13, 2012; eff. Feb. 2, 2012.

**Amended:** F. Oct. 21, 2014; eff. Nov. 10, 2014.

**Amended:** F. May 3, 2016; eff. May 23, 2016.

**Repealed:** New Rule of same title adopted. F. June 12, 2019; eff. July 2, 2019.

**Repealed:** New Rule of same title adopted. F. June 23, 2020; eff. July 13, 2020.

**Amended:** F. Apr. 20, 2023; eff. May 10, 2023.

# **Department 360. RULES OF GEORGIA COMPOSITE MEDICAL BOARD**

## **Chapter 360-5. PHYSICIAN'S ASSISTANTS**

### **360-5-.03 Application for Physician Utilization of a Physician Assistant**

(1) In order to obtain approval to supervise a physician assistant, the physician who will be responsible for the performance of the Physician Assistant shall submit an application to the Board. The application shall be made upon forms supplied by the Board and must be approved by the Board before the supervising physician(s) may delegate health care tasks to the physician assistant.

(a) The board shall have the authority to approve or deny any primary or alternate supervising physicians.

(2) The supervising physician(s) must certify that he/she has received, read, and is familiar with the Medical Practice Act, Physician Assistant Act and Board rules and regulations by signing the statement on the application.

(3) The application must include:

(a) The name of the primary supervising physician.

(b) Alternate supervising physicians, as designated by the primary supervising physician, if applicable.

1. Unlimited alternate supervising physicians may be added to the approved list by submission of the appropriate form signed by the primary supervising physician, and each alternate to the Board.

2. An alternate supervising physician must have the following relationships with the primary supervising physician:

(i) a similar scope of practice and;

(ii) an affiliation with the primary supervisory physician's medical practice; or

(iii) An established formal call agreement.

(c) The name and location of the medical school from which the primary supervising physician was graduated and the date the degree was received.

(d) The type of practice in which the physician assistant is to provide services;

(e) A Georgia business address for the practice;

(f) A current Georgia medical license number.

(g) Evidence that the physician assistant is licensed in Georgia;

(h) A fee as required by the Board. No fee will be required if the physician assistant will be providing medical services as an employee of the state or of a county government; and

(i) A job description meeting the requirements of law and rules.

(4) Applications submitted to the Board must be completed in every detail. In order for the Board to complete disposition of the application, the Board, at its discretion, may request additional information which shall be submitted in writing by the applicant.

(5) At the option of the Board, the physician assistant and the applying supervising physician(s) may be required to appear before the Board for a personal interview.

(6) The primary supervising physician shall at all times maintain on file, readily available for inspection, documentation from the Board evidencing current approval for supervision of the physician assistant, current license status of both parties, and a copy of the applicable approved job description.

(7) After receipt of required documents, the board shall provide notification of approval or disapproval of the physician's application for utilization of a Physician Assistant.

(8) All applications for Board approval should be completed and on file with the Board at least ten (10) days prior to the meeting, in order to be considered by the Physician Assistant Advisory Committee and the Board at the next meeting.

(9) Upon termination of a physician/physician assistant relationship, the physician assistant and supervising physician are required to give notice and date of termination to the board by certified mail or appropriate verifiable method, and in order to continue practicing, the physician assistant must submit an application to the Board for a new supervising physician.

a. An alternate supervising physician may not assume the primary supervising physician's role but must submit the appropriate form to the Board and receive its approval before delegating medical tasks to the physician assistant. Failure to notify the Board immediately may result in disciplinary action against the physician assistant and/or the physician(s). Failure to renew the license because of expiration will not be considered an exception to the requirements of this paragraph.

**Cite as** Ga. Comp. R. & Regs. R. 360-5-.03

**AUTHORITY:** O.C.G.A. §§ [43-1-25](#), [43-34-5](#), [43-34-8](#), [43-34-24](#), [43-34-102](#), [43-34-103](#), [43-34-104](#), [43-34-108](#).

**HISTORY:** Original Rule entitled "Requirements for Board Approval of Physician's Assistant" adopted. F. Sept. 11, 1972; eff. Oct. 1, 1972.

**Amended:** F. Feb. 20, 1973; eff. Mar. 12, 1973.

**Amended:** F. July 17, 1974; eff. August 6, 1974.

**Amended:** F. Apr. 7, 1975; eff. Apr. 27, 1975.

**Amended:** F. Oct. 3, 1975; eff. Oct. 23, 1975.

**Amended:** F. Jan. 26, 1976; eff. Feb. 15, 1976.

**Repealed:** New Rule of same title adopted. F. Dec. 4, 1981; eff. Jan. 1, 1982, as specified by the Agency.

**Amended:** F. Sept. 6, 1985; eff. Sept. 26, 1985.

**Amended:** F. July 15, 1988; eff. August 4, 1988.

**Amended:** F. Aug. 9, 1993; eff. Aug. 29, 1993.

**Amended:** F. Mar. 18, 1998; Apr. 7, 1998.

**Amended:** F. June 23, 2008; eff. July 13, 2008.

**Repealed:** New Rule entitled "Application for Physician Utilization of a Physician Assistant" adopted. F. Jan. 18, 2011; eff. Feb. 7, 2011.

**Repealed:** New Rule with same title adopted. F. Jan. 13, 2012; eff. Feb. 2, 2012.

**Repealed:** New Rule with same title adopted. F. June 16, 2021; eff. July 6, 2021.

**Amended:** F. Apr. 17, 2023; eff. May 7, 2023.



# **Department 360. RULES OF GEORGIA COMPOSITE MEDICAL BOARD**

## **Chapter 360-6. ACUPUNCTURE**

### **360-6-.03 Licensure Requirements for Acupuncture**

(1) Each applicant for licensure as an acupuncturist must meet the requirements listed below.

(a) An affidavit that the applicant is a United States citizen, a legal permanent resident of the United States, or that he/she is a qualified alien or non-immigrant under the Federal Immigration and Nationality Act. If the applicant is not a U.S. citizen, he/she must submit documentation that will determine his/her qualified alien status. The Board participates in the DHS-USCIS SAVE (Systematic Alien Verification for Entitlements or "SAVE") program for the purpose of verifying citizenship and immigration status information of non-citizens. If the applicant is a qualified alien or non-immigrant under the Federal Immigration and Nationality Act, he/she must provide the alien number issued by the Department of Homeland Security or other federal immigration agency.

(b) Must be at least 21 years of age and of good moral character;

(c) Submit a completed application required by the Board. Said application shall not be considered completed until all fees have been paid and all required documents have been received by the Board;

(d) Must submit three (3) acceptable references from practicing acupuncturists familiar with the applicant's practice.

(e) Have successfully completed a degree in acupuncture or a formal course of study and training in acupuncture. The applicant shall submit documentation satisfactory to the board to show that such education or course of study and training was:

1. Completed at a school that is accredited by the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) or other accrediting entity approved by the board; or

2. Completed by means of a program of acupuncture study and training that is substantially equivalent to the acupuncture education offered by an accredited school of acupuncture approved by the board.

(f) Have passed an acupuncture examination offered by an organization accredited by the National Organization of Competency Assurance and approved by the board;

(g) Submit proof of certification in acupuncture by the National Certification Commission for Acupuncture and Oriental Medicine;

(h) Completed successfully a clean needle technique course approved by the Board; and

(i) Submitted proof of having professional liability insurance of at least \$100,000/\$300,000.

1. If the licensee changes liability carriers, is canceled by a liability carrier, or cancels liability coverage, the licensee must notify the Board within thirty (30) days of the date of change or cancellation.

2. Failure to maintain liability coverage, pursuant to the Act, may result in suspension of the license for acupuncture.

(i) An applicant must submit all documentation required for the application process within twelve months from the date the Board receives the application.

(2) Every person who holds a license issued by the Board shall inform the Board of any change of address and any other change of information, including but not limited to professional liability coverage, for licensure by this Rule or the Act.

(3) The titles "Licensed Acupuncturist" and "Acupuncturist" shall only be used by persons licensed to practice acupuncture pursuant to the Act and these Rules.

**Cite as** Ga. Comp. R. & Regs. R. 360-6-.03

**AUTHORITY:** O.C.G.A. §§ [43-1-19](#), [43-1-25](#), [43-34-5](#), [43-34-63](#), [43-34-64](#), [43-34-66](#), [43-34-70](#), [43-34-72](#), [43-39-5](#).

**HISTORY:** Original Rule entitled "Licensure Requirements for Acupuncture" adopted as ER. [360-6-0.10-.03](#). F. Aug. 10, 2000; eff. Aug. 21, 2000, as specified by the Agency.

**Amended:** Permanent Rule of same title adopted. F. Nov. 20, 2000; eff. Dec. 10, 2000.

**Repealed:** New Rule of same title adopted. F. Jan. 16, 2001; eff. Feb. 5, 2001.

**Amended:** F. June 11, 2001; eff. July 1, 2001.

**Amended:** F. Sept. 19, 2007; eff. Oct. 9, 2007.

**Amended:** F. Dec. 14, 2007; eff. Jan. 3, 2008.

**Repealed:** New Rule of same title adopted. F. Oct. 6, 2009; eff. Oct. 26, 2009.

**Repealed:** New Rule of same title adopted. F. Jan. 13, 2014; eff. Feb. 2, 2014.

**Amended:** F. Apr. 17, 2023; eff. May 7, 2023.

# **Department 360. RULES OF GEORGIA COMPOSITE MEDICAL BOARD**

## **Chapter 360-15. CONTINUING EDUCATION**

### **360-15-.01 Requirements for Physicians**

(1) Physicians licensed to practice medicine pursuant to O.C.G.A. [43-34-26](#) shall complete Board approved continuing education of not less than 40 hours biennially, with the following exceptions:

(a) Physicians enrolled in full time graduate medical education programs (residencies and fellowships) which are accredited by the Accreditation Council on Graduate Medical Education or the American Osteopathic Association.

(b) Physicians who are initially licensed by the Board and who have not renewed their licenses for the first time.

(c) Physicians whose licenses are not active, such as those who are Inactive or Revoked. Physicians who are suspended or in some other way disciplined by the Board must meet the requirements unless otherwise stipulated by Board Order.

(d) Physicians who are retired, who have an active license, and who provide uncompensated health care services pursuant to Code Section [43-34-41](#); shall be required to complete 10 hours of Board approved continuing education biennially.

(e) Physicians specifically exempted from this requirement due to cases of hardship, disability, illness, service in the United States Congress, service in the Georgia General Assembly or military service, if supported by adequate documentation acceptable to the Board.

1. Physicians seeking such an exemption must submit a written request and documentation to support their eligibility for such an exemption.

2. Said request for an exemption should be submitted to the Board in a sufficient time period prior to the expiration of the license to receive a determination from the Board as to whether an exemption would be granted.

(2) The Board accepts the following as meeting its requirement for Board approval:

(a) A.M.A. (American Medical Association) Category 1 credit;

(b) A.O.A. (American Osteopathic Association) Category 1 credit;

(c) A.A.F.P. (American Academy of Family Physicians) Prescribed credit;

(d) A.C.O.G. (American College of Obstetricians and Gynecologists) Cognates, Category 1;

(e) A.C.E.P. (American College of Emergency Physicians) Category 1.

1. It is the responsibility of the licensee to verify approval with the source of the program, not with the Board, and the licensee should verify approval before taking the course.

(3) Physicians who do not hold a certification in pain management or palliative medicine, and whose opioid pain management patients comprise 50% or more of the patient population must demonstrate competence by biennially obtaining 20 (twenty) hours of continuing medical education ("CME") pertaining to pain management or palliative medicine.

1. Such CME must be an AMA/AOA PRA Category 1 CME, a board approved CME program, or any federally approved CME. The CME obtained pursuant to this rule may count towards the CME required for license renewal.

(4) Effective January 1, 2018, every physician not subject to Rule [360-15-.01\(3\)](#) who maintains an active DEA certificate and prescribes controlled substances, except those holding a residency training permit, shall complete at least one time three or more hours of AMA/AOAPRA Category 1 CME that is designed specifically to address controlled substance prescribing practices. The controlled substance prescribing CME shall include instruction on controlled substance prescribing guidelines, recognizing signs of the abuse or misuse of controlled substances, and controlled substance prescribing for chronic pain management. The certification of such completion must occur at the first renewal following January 1, 2018 or the first renewal following licensure. Completion of this requirement may count as three hours toward the CME requirement for license renewal.

(5) On and after January 1, 2022, all physicians shall be required to receive one-time education training, for a minimum of two hours, regarding professional boundaries and physician sexual misconduct. Such education training shall include subject matter relating to how to proceed with basic as well as sensitive or intimate examinations and the communication with patients that is required as a component of such examinations. The certification of such completion must occur at the first renewal following January 1, 2022 or the first renewal following licensure. Completion of this requirement may count as two hours toward the CME requirement for license renewal.

(6) In meeting the continuing education requirements, the Board will waive one hour CME requirement for physicians for each four hours of documented work by the physician in uncompensated health care services such as free clinics up to a maximum of ten CME hours per biennium. In order to receive the waiver, the physician shall submit to the Board documentation of such work at the time of renewal.

(7) In meeting the continuing education requirements, the Board will waive up to eight CME hours per biennium for peer reviews of Board investigative cases for the Board. Specifically, a physician may obtain waiver of two (2) CME hours for each investigative case peer review conducted at the request of the Board.

(8) Physicians who must meet the requirements of this Chapter must document the completion of Board approved continuing education of not less than 40 hours during the two year term of the license. The license will expire on the last day of the month in which the applicant's birthday falls. License must be renewed biennially by the last day of the month in which the applicant's birthday falls and the licensee must satisfy the Board approved continuing education requirements during the biennial renewal cycle to be eligible for renewal.

(9) Each licensed physician who must meet these requirements must maintain records of attendance and supporting documents for continuing education for a period of 5 years from the date of attendance. At a minimum, the following must be kept:

- (a) Name of provider;
- (b) Name of program;
- (c) Hours/continuing education Units completed;
- (d) Date of Completion;
- (e) Evidence of A.M.A. Category 1 credit or A.O.A. Category 1 credit.

**Cite as** Ga. Comp. R. & Regs. R. 360-15-.01

**AUTHORITY:** O.C.G.A. §§ [43-34-3](#), [43-34-5](#), [43-34-11](#), [43-34-24](#), [43-34-26](#), [43-34-41](#).

**HISTORY:** Original Rule entitled "Requirements for Physicians" adopted. F. Sept. 11, 1991; eff. Oct. 1, 1991.

**Amended:** F. June 5, 1992; eff. June 25, 1992.

**Amended:** F. Sept. 18, 2003; eff. Oct. 8, 2003.

**Repealed:** New Rule of same title adopted. F. Sept. 7, 2005; eff. Sept. 27, 2005.

**Repealed:** New Rule of same title adopted. F. Nov. 10, 2008; eff. Nov. 30, 2008.

**Repealed:** New Rule of same title adopted. F. Mar. 10, 2009; eff. Mar. 30, 2009.

**Repealed:** New Rule of same title adopted. F. July 9, 2010; eff. July 29, 2010.

**Amended:** F. Nov. 9, 2012; eff. Nov. 29, 2012.

**Repealed:** New Rule of same title adopted. F. Mar. 2, 2016; eff. Mar. 22, 2016.

**Repealed:** New Rule of same title adopted. F. Nov. 16, 2017; eff. Dec. 6, 2017.

**Amended:** F. Apr. 17, 2023; eff. May 7, 2023.

# **Department 360. RULES OF GEORGIA COMPOSITE MEDICAL BOARD**

## **Chapter 360-39. GENETIC COUNSELORS**

### **360-39-.03 Temporary License**

A temporary license may be issued to an individual who has made application to the board, has submitted evidence to the board of admission to examination for licensure, has met all of the requirements for licensure in accordance with this Code section, except for the examination requirement, and has met any other condition established by rule. The holder of a temporary license shall practice only under the supervision of a qualified supervisor and may not have the authority to order genetic tests. Nothing in this subsection shall prohibit an applicant from reapplying for a temporary license if he or she meets the qualifications of this subsection. The Temporary license is only valid for 12 months. If the temporary licensee has not obtained certification by the end of the 12-month temporary license period, the applicant may request a temporary license renewal/extension of another 12 months. In order to grant this extension, written recommendation by a qualified supervisor who has supervised applicant within the past 12 months must be submitted to the board. The applicant can continue to request 12-month temporary license renewals/extensions (with supporting recommendation each time) until he or she is no longer eligible for active candidate status with ABGC or ABMG.

**Cite as** Ga. Comp. R. & Regs. R. 360-39-.03

**AUTHORITY:** O.C.G.A. §§ [43-34-5](#), [43-34-312](#).

**HISTORY:** Original Rule entitled "Temporary License" adopted. F. Dec. 9, 2020; eff. Dec. 29, 2020.

**Amended:** F. Apr. 20, 2023; eff. May 10, 2023.

### **360-39-.04 Renewal Requirements**

(1) All licenses shall expire biennially unless renewed. Genetic Counselors who are applying for their first renewal in Georgia shall be exempt from the continuing education requirement.

(2) Each licensee shall notify the Board within thirty (30) days, in writing, of all changes of address. Any mailing or notice from the Board shall be considered to be served on the licensee when sent to the licensee's last address on file with the Board.

(3) All active licenses must be renewed every two years. This may be done via the internet or through mail. A licensee may not practice after the expiration date of the license. A license must be renewed biennially by the last day of the month in which the applicant's birthday falls, and the licensee must establish satisfaction of Board-approved continuing education requirements to be eligible for renewal.

(4) Licensees have the right to obtain a late renewal of their licenses during the three (3) month period immediately following the expiration date. During this period, the penalty for late renewal applies. A licensee may not practice after the expiration date of his or her license.

(5) The Board shall administratively revoke any license not renewed prior to the expiration of the late renewal period. In order to obtain a license after revocation for failure to renew, an applicant must reapply for reinstatement/restoration and meet the requirements in effect at the time of the application.

(6) Notwithstanding the provisions of paragraph (4) of this rule, any service member as defined in O.C.G.A. § [43-1-31](#) whose license to practice as a genetic counselor expired while on active duty outside the state shall be permitted to practice in accordance with the expired license and shall not be charged with a violation relating to such practice on an expired license for a period of six (6) months from the date of his or her discharge from active duty or reassignment to a location within the state. Such service member shall be entitled to renew such expired license without penalty within six (6) months after the date of his or her discharge from active duty or reassignment to a location within this state. The service member must present to the Board a copy of the official military orders or a written verification signed by the service member's commanding officer to waive any charges.

(7) The fee for renewals and late renewals shall be designated in the fee schedule.

(8) A person who has permitted his or her license to expire or who has had his or her license on inactive status may have his or her license restored by:

(a) Making application to the board;

(b) Filing proof acceptable to the board of his or her fitness to have his or her license restored, including, but not limited to, sworn evidence certifying to active practice in another jurisdiction satisfactory to the board; and

(c) Paying the required restoration fee.

(9) In the event of licensure expiration or inactivity in excess of two (2) years or if derogatory information or communication is received during the reactivation process, the applicant should be prepared to appear before the Board and Committee, for an interview regarding continued competence to ensure the public is protected. If competence is not demonstrated to the Board's satisfaction, additional continuing education and/or supervision may be required for a period of time at the Board's discretion.

(10) If licensure expiration was in excess of five (5) years, in addition to the above, the applicant would be required to successfully complete up to 250 hours of continuing education.

(11) All applicants must provide an affidavit and a secure and verifiable document in accordance with O.C.G.A. [50-36-1\(f\)](#). If the applicant has previously provided a secure and verifiable document and affidavit of United States citizenship, no additional documentation of citizenship is required for renewal. If the applicant for renewal is not a United States citizen, he/she must submit documentation that will determine his/her qualified alien status. The Board participates in the DHS-USCIS SAVE (Systematic Alien Verification for Entitlements or "SAVE") program for purpose of verifying citizenship and immigration status information of non-U.S. citizens. If the applicant for renewal is a qualified alien or non-immigrant under the Federal Immigration and Nationality Act, he/she must provide the alien number issued by the Department of Homeland Security or other federal agency.

**Cite as** Ga. Comp. R. & Regs. R. 360-39-.04

**AUTHORITY:** O.C.G.A. §§ [43-34-5](#), [43-34-313](#), [43-1-31](#), [50-36-1](#).

**HISTORY:** Original Rule entitled "Renewal Requirements" adopted. F. Dec. 9, 2020; eff. Dec. 29, 2020.

**Amended:** F. Apr. 17, 2023; eff. May 7, 2023.

# **Department 360. RULES OF GEORGIA COMPOSITE MEDICAL BOARD**

## **Chapter 360-41. SEDATION IN PHYSICIAN OFFICES AND MEDISPAS**

### **360-41-.01 Definitions**

For purposes of this Chapter, the following definitions apply:

- (1) "Deep sedation/analgesia" means a drug-induced depression of consciousness during which the patient cannot be easily aroused but can respond purposefully following repeated or painful stimulation.
- (2) "General anesthesia" means a state of unconsciousness intentionally produced by anesthetic agents with absence of pain sensation over the entire body, in which the patient's protective airway reflexes may be impaired and the patient may be unable to maintain a patent natural airway. Sedation that progresses to the point at which the patient's protective airway reflexes are impaired and the patient is unable to maintain a patent natural airway is considered general anesthesia.
- (3) "Major conduction anesthesia" means the administration of a drug or combination of drugs to interrupt nerve impulses without loss of consciousness, such as epidural, caudal, or spinal anesthesia, lumbar or brachial plexus blocks, and intravenous regional anesthesia. Major conduction anesthesia does not include isolated blockade of small peripheral nerves, such as digital nerves.
- (4) "Medispa" means a facility that offers a range of services for the purpose of improving an individual's well-being or appearance including medical and surgical procedures such as liposuction, laser procedures, intense pulsed light, and injection of cosmetic filling agents and neurotoxins in a nontraditional setting.
- (5) "Minimal sedation" means a drug-induced state during which the patient responds normally to verbal commands.
- (6) "Moderate sedation/analgesia" means a drug-induced depression of consciousness during which the patient responds purposefully to verbal commands, either alone or accompanied by tactile stimulation.
- (7) "Office based surgery" means any surgery or invasive medical procedure requiring sedation, when performed in a location other than a hospital, hospital associated surgical center, or an ambulatory surgical facility, including but not limited to, physicians' offices and medispas.
- (8) "Rescue" means an intervention by a practitioner proficient in airway management and advanced life support to correct adverse physiologic consequences of the deeper-than-intended level of sedation and to return the patient to the originally intended level of sedation.
- (9) "Sedation" means minimal sedation, moderate sedation/analgesia, deep sedation/analgesia, or general anesthesia. This term shall not include local infiltration.

**Cite as** Ga. Comp. R. & Regs. R. 360-41-.01

**AUTHORITY:** O.C.G.A. § [43-34-47](#).

**HISTORY:** Original Rule entitled "Definitions" adopted. F. Apr. 26, 2023; eff. May 16, 2023.

### **360-41-.02 Regulations for Facilities and Physicians**



(1) Application of rules. These rules apply to physicians practicing independently or in a group setting who perform office based surgery employing one or more of the following levels of sedation or anesthesia:

- (a) Moderate sedation/analgesia;
- (b) Deep sedation/analgesia;
- (c) Major conduction anesthesia; or
- (d) General anesthesia.

(2) Accreditation or certification. Physicians who perform any procedures utilizing moderate sedation/analgesia, deep sedation/analgesia, major conduction anesthesia, or general anesthesia must ensure that the procedure is performed in a facility that is appropriately equipped and maintained to ensure patient safety, which may be demonstrated by accreditation by any of the following entities:

- (a) The Joint Commission;
- (b) The Accreditation Association for Ambulatory Care;
- (c) The American Association for Accreditation of Ambulatory Surgery Facilities; or
- (d) The Centers for Medicare and Medicaid Services

(3) Competency. When an anesthesiologist or certified registered nurse anesthetist is not present, the physician performing office based surgery using moderate sedation/analgesia, deep sedation/analgesia, major conduction anesthesia, or general anesthesia must be competent and qualified to oversee the administration of intravenous sedation/analgesia through one of the following training pathways:

- (a) Completion of a continuing medical education course in conscious sedation;
  - (b) Training in conscious sedation in a residency program; or
  - (c) Having privileges for conscious sedation granted by a hospital medical staff.
- (4) Separation of surgical and monitoring functions.

(a) The physician performing the surgical procedure must not administer the intravenous sedation or monitor the patient.

(b) The licensed health care practitioner designated by the physician to administer the intravenous sedation and monitor the patient may assist the physician with minor interruptible tasks for short duration once the patient's level of sedation and vital signs have been stabilized, provided that adequate monitoring of the patient's condition is maintained. The licensed health care practitioner who administers intravenous medication under deep sedation/analgesia or general anesthesia must not perform or assist with the procedure.

(5) Sedation assessment and management.

(a) Sedation is a continuum. Depending on the patient's response to drugs, the drugs administered, and the dose and timing of administration, it is possible that a deeper level of sedation will be produced than initially intended.

(b) If an anesthesiologist or certified registered nurse anesthetist is not present, a physician intending to produce a given level of sedation shall rescue a patient that enters a deeper level of sedation than intended.

(c) If a patient enters into a deeper level of sedation than planned, the physician must return the patient to the lighter level of sedation as quickly as possible while closely monitoring the patient to make sure the airway is patent, the patient is breathing, and that oxygenation, heart rate, and blood pressure are within acceptable values.

(d) Instructions to avoid driving, operating machinery, consuming alcoholic beverages, and making important decisions for 24 hours should be provided for patients who undergo deep sedation/analgesia.

(6) Emergency care and transfer protocols. A physician performing office based surgery must ensure that in the event of a life-threatening complication or emergency that:

(a) At least one health care provider certified in advanced resuscitative techniques appropriate for the patient age group (i.e., ACLS, PALS, or APLS) must be present or immediately available with age-size-appropriate resuscitative equipment throughout the procedure and until the patient has met the criteria for discharge from the facility.

(b) All office personnel are familiar with a written, documented plan to timely and safely transfer patients to an appropriate hospital that includes a proven accessible route for stretcher transport of the patient out of the office, arrangement for emergency medical services and appropriate escort of the patient to the hospital, and a compliance process to notify the Board of an adverse event as specified in [360-41-.04](#); and

(c) Resuscitative equipment is immediately available. Such equipment should be evaluated for functionality every 6 months and records of such evaluations should be maintained within the facility.

(7) Standard of practice. Any licensed physician engaging in surgery in office based surgery must have received appropriate training and education in the safe and effective performance of all procedures performed in the facility. Such training and education shall include:

(a) Indications and contraindications for each procedure;

(b) Identification of realistic and expected outcomes for each procedure;

(c) Selection, utilization, and maintenance of products and equipment;

(d) Appropriate technique for each procedure, including infection control and safety precautions;

(e) Pharmacologic intervention specific to each procedure;

(f) Identification of complications and adverse reactions for each. procedure; and

(g) Emergency procedures to be used in the event of:

(i) Complications;

(ii) Adverse reactions;

(iii) Equipment malfunctions; or

(iv) Any other interruption of a procedure.

(8) Adverse events. Any incident within the facility that results in a patient death or transport of the patient to the hospital for observation or treatment for a period in excess of 24 hours shall be reported to the Board in writing within 10 working days of the death or hospitalization.

(9) Truth in advertising. The credentials, education and training received, specialty board certification, and proficiency evaluations of all personnel involved in performing surgical procedures shall be accurately presented in any form of advertising and shall be readily available in writing to all patients.

**Cite as** Ga. Comp. R. & Regs. R. 360-41-.02

**AUTHORITY:** O.C.G.A. § [43-34-47](#).

**HISTORY:** Original Rule entitled "Regulations for Facilities and Physicians" adopted. F. Apr. 26, 2023; eff. May 16, 2023.

### **360-41-.03 Medical Records**

(1) The physician performing office based surgery must maintain a legible, complete, comprehensive and accurate medical record for each patient. The medical record shall include:

- (a) Identity of the patient;
  - (b) History and physical, diagnosis, and treatment plan;
  - (c) Appropriate labs, x-rays, or other diagnostic reports;
  - (d) Appropriate pre-anesthesia evaluation;
  - (e) Narrative description of procedure;
  - (f) Pathology reports if relevant;
  - (g) Documentation of which, if any, tissues and specimens have been submitted for histopathologic diagnosis;
  - (h) Provisions for continuity of postoperative care; and
  - (i) Documentation of the outcome and the follow-up plan.
- (2) When moderate sedation/analgesia, deep sedation/analgesia, major conduction anesthesia, or general anesthesia is used, the patient's medical record shall include a separate anesthesia record which includes:
- (a) The type of sedation or anesthesia used;
  - (b) Drugs (name and dose) administered and time of administration;
  - (c) The patient's vital signs at regular intervals including, at a minimum, blood pressure, heart rate, respiratory rate and oxygen saturation; and
  - (d) Documentation of a return to appropriate level of consciousness and readiness for discharge from acute care.

**Cite as** Ga. Comp. R. & Regs. R. 360-41-.03

**AUTHORITY:** O.C.G.A. § [43-34-47](#).

**HISTORY:** Original Rule entitled "Medical Records" adopted. F. Apr. 26, 2023; eff. May 16, 2023.

### **360-41-.04 Exemptions**

These Rules shall not apply to physicians when:

(1) Performing surgery and medical procedures that require only infiltration of local anesthesia around peripheral nerves or non-mixed sensory nerves in an amount that does not exceed the manufacturer's published recommendations.

(2) Performing surgery in a hospital-associated surgical center or a licensed ambulatory surgical center.

(3) Performing oral and maxillofacial surgery and the physician is licensed both as a physician under Title 43 Chapter 34 and a dentist under Title 43 Chapter 11.

**Cite as** Ga. Comp. R. & Regs. R. 360-41-.04

**AUTHORITY:** O.C.G.A. § [43-34-47](#).

**HISTORY:** Original Rule entitled "Exemptions" adopted. F. Apr. 26, 2023; eff. May 16, 2023.

# Department 505. PROFESSIONAL STANDARDS COMMISSION

## Chapter 505-3. EDUCATOR PREPARATION RULES

### 505-3-.24 English Education Program

(1) **Purpose.** This rule states field-specific content standards for approving programs that prepare individuals to teach English Language Arts (ELA) in grades 6-12 and supplements requirements in Rule [505-3-.01](#), REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS. The standards are adapted from the standards published in 2021 by the National Council of Teachers of English.

(2) **Requirements.**

(a) A GaPSC-approved educator preparation provider shall offer an educator preparation program described in program planning forms, catalogs, and syllabi addressing the following standards:

1. Learners and Learning in English Language Arts. Candidates apply and demonstrate knowledge of learners and learning to foster learning environments that support coherent, relevant, 6-12 standards-aligned, and differentiated instruction to engage all 6-12 learners in ELA.

(i) Candidates gather and interpret comprehensive data on learners' individual differences, identities, and funds of knowledge to foster learning environments that actively engage all learners in ELA;

(ii) Candidates apply and demonstrate knowledge of how the constructs of adolescence/adolescents and learners' identities affect learning experiences to foster coherent, relevant, inclusive instruction that critically engages all learners in ELA; and

(iii) Candidates apply and demonstrate knowledge of learning processes that involve individually, collaboratively, and critically accessing, consuming, curating, and creating texts (e.g., print, non-print, digital, media).

2. English Language Arts Content Knowledge. Candidates apply and demonstrate knowledge and theoretical perspectives pertaining to texts (e.g., print, non-print, digital, media), composition, language, and languaging practices, and crosscutting concepts to develop deep understandings of the core disciplinary ideas in their instructional planning.

(i) Candidates apply and demonstrate knowledge and theoretical perspectives about a variety of literary and informational texts (e.g., young adult, classic, contemporary, and media) representing a range of world literatures, historical traditions, genres, cultures, and lived experiences;

(ii) Candidates apply and demonstrate knowledge and theoretical perspectives of the relationships among form, audience, context, and purpose by composing and critically curating a range of texts (e.g., print, non-print, digital, media); and

(iii) Candidates apply and demonstrate knowledge and theoretical perspectives of language and languaging, including language acquisition, conventions, dialect, grammar systems, and the impact of languages on society as they relate to various rhetorical situations (e.g., journalism, social media, popular culture) and audiences.

3. Instructional Practice and Planning for Instruction in ELA. Candidates apply and demonstrate knowledge of theories, research, and ELA to plan coherent, relevant, 6-12 standards-aligned, differentiated instruction and assessment.

(i) Candidates use a variety of resources and technologies to plan coherent, relevant, standards-aligned, and differentiated instruction that incorporates theories, research, and knowledge of ELA to support and engage all learners in meeting learning goals; and

(ii) Candidates identify and/or design formative and summative assessments that reflect ELA research, align with intended learning outcomes, and engage all learners in monitoring their progress toward established goals.

4. Instructional Practice and Planning for Assessment in ELA. Candidates implement coherent, relevant, 6-12 standards-aligned, and differentiated ELA instruction and assessment to motivate and engage all learners.

(i) Candidates implement coherent, relevant, 6-12 standards-aligned, and differentiated instruction that uses a variety of resources and technologies and incorporates theories, research, and knowledge of ELA to support and engage all learners in meeting learning goals;

(ii) Candidates implement formative and summative assessments that reflect ELA research, align with intended learning outcomes, engage all learners in monitoring their progress toward established goals, and guide the next steps of ELA instruction; and

(iii) Candidates communicate with learners about their performance in ELA in multiple ways that actively involve them in their own learning (e.g., learning management systems, digital communication tools, conferencing, and written feedback).

5. Professional Responsibility for ELA teachers. Candidates reflect on their ELA practice, use knowledge and theoretical perspectives to collaborate with educational community members, and demonstrate readiness for leadership, professional learning, and advocacy.

(i) Candidates reflect on their own identities and experiences and how they frame their practices and impact their teaching of ELA;

(ii) Candidates use feedback and evidence from a range of sources to reflect upon and inform their practice;

(iii) Candidates apply and demonstrate knowledge in collaboration with learners, families, colleagues, and ELA-related learning communities; and

(iv) Candidates demonstrate readiness for leadership, professional learning, and advocacy for learners, themselves, and ELA.

**Cite as** Ga. Comp. R. & Regs. R. 505-3-.24

**AUTHORITY:** O.C.G.A. § [20-2-200](#).

**HISTORY:** Original Rule entitled "Distributive Education/Marketing Program" adopted. F. Dec. 18, 1991; eff. Jan. 7, 1992.

**Repealed:** New Rule entitled "Health and Physical Education Program" adopted. F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

**Repealed:** New Rule, same title adopted. F. Nov. 9, 2001; eff. Dec. 1, 2001, as specified by the Agency.

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

**Repealed:** New Rule entitled "Marketing Education Program" adopted. F. Oct. 24, 2005; eff. Nov. 15, 2005, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

**Repealed:** New Rule entitled "English Education Program" adopted. F. Oct. 7, 2014; eff. Oct. 15, 2014, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Apr. 4, 2023; eff. Apr. 15, 2023, as specified by the Agency.

### **505-3-.54 Special Education Adapted Curriculum Program**

(1) **Purpose** This rule states field-specific content standards for approving programs that prepare teachers to teach all students P-12 with disabilities whose individual education program indicates instruction in an adapted curriculum leading to participation in the Georgia alternate assessment. This rule supplements requirements in GaPSC Rule [505-3-.01](#), REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

#### **(2) Requirements.**

(a) 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 published by the Council for Exceptional Children (2020):

1. Engaging in Professional Learning and Practice within Ethical Guidelines: Candidates practice within ethical and legal guidelines; advocate for improved outcomes for individuals with exceptionalities and their families while considering their social, cultural, and linguistic diversity; and engage in ongoing self-reflection to design and implement professional learning activities.

(i) Candidates practice within ethical guidelines and legal policies and procedures;

(ii) Candidates advocate for improved outcomes for individuals with exceptionalities and their families while addressing the unique needs of those with diverse social, cultural, and linguistic backgrounds; and

(iii) Candidates design and implement professional learning activities based on ongoing analysis of student learning; self-reflection; and professional standards, research, and contemporary practices.

2. Understanding and Addressing Each Individual's Developmental and Learning Needs: Candidates use their understanding of human growth and development, the multiple influences on development, individual differences, diversity, including exceptionalities, and families and communities to plan and implement inclusive learning environments and experiences that provide individuals with exceptionalities high quality learning experiences reflective of each individual's strengths and needs.

(i) Candidates apply understanding of human growth and development to create developmentally appropriate and meaningful learning experiences that address individualized strengths and needs of students with exceptionalities; and

(ii) Candidates use their knowledge and understanding of diverse factors that influence development and learning, including differences related to families, languages, cultures, and communities, and individual differences, including exceptionalities, to plan and implement learning experiences and environments.

3. Demonstrating Subject Matter Content and Specialized Curricular Knowledge: Candidates apply their understanding of the academic subject matter content of the general curriculum and specialized curricula to inform their programmatic and instructional decisions for learners with exceptionalities.

(i) Candidates apply their understanding of academic subject matter content of the general curriculum to inform their programmatic and instructional decisions for individuals with exceptionalities; and

(ii) Candidates augment the general education curriculum to address skills and strategies that students with disabilities need to access the core curriculum and function successfully within a variety of contexts as well as the

continuum of placement options to assure specially designed instruction is developed and implemented to achieve mastery of curricular standards and individualized goals and objectives.

4. Using Assessment to Understand the Learner and the Learning Environment for Databased Decision Making: Candidates assess students' learning, behavior, and the classroom environment in order to evaluate and support classroom and school-based problem-solving systems of intervention and instruction. Candidates evaluate students to determine their strengths and needs, contribute to students' eligibility determination, communicate students' progress, inform short and long-term instructional planning, and make ongoing adjustments to instruction using technology as appropriate.

(i) Candidates collaboratively develop, select, administer, analyze, and interpret multiple measures of student learning, behavior, and the classroom environment to evaluate and support classroom and school-based systems of intervention for students with and without exceptionalities.

(ii) Candidates develop, select, administer, and interpret multiple, formal and informal, culturally and linguistically appropriate measures and procedures that are valid and reliable to contribute to eligibility determination for special education services; and

(iii) Candidates assess, collaboratively analyze, interpret, and communicate students' progress toward measurable outcomes using technology as appropriate, to inform both short- and long-term planning, and make ongoing adjustments to instruction.

5. Supporting Learning Using Effective Instruction: Candidates use knowledge of individuals' development, learning needs, and assessment data to inform decisions about effective instruction. Candidates use explicit instructional strategies and employ strategies to promote active engagement and increased motivation to individualize instruction to support each individual. Candidates use whole group instruction, flexible grouping, small group instruction, and individual instruction. Candidates teach individuals to use meta-/cognitive strategies to support and self-regulate learning.

(i) Candidates use findings from multiple assessments, including student self-assessment, that are responsive to cultural and linguistic diversity and specialized as needed, to identify what students know and are able to do. They then interpret the assessment data to appropriately plan and guide instruction to meet rigorous academic and non-academic content and goals for each individual;

(ii) Candidates use effective strategies to promote active student engagement, increase student motivation, increase opportunities to respond, and enhance self-regulation of student learning;

(iii) Candidates use explicit, systematic instruction to teach content, strategies, and skills to make clear what a learner needs to do or think about while learning. Candidates use flexible grouping to support the use of instruction that is adapted to meet the needs of each individual and group; and

(iv) Candidates organize and manage focused, intensive small group instruction to meet the learning needs of each individual. Candidates plan and deliver specialized, individualized instruction that is used to meet the learning needs of each individual.

6. Supporting Social, Emotional, and Behavioral Growth: Candidates create and contribute to safe, respectful, and productive learning environments for individuals with exceptionalities through the use of effective routines and procedures and use a range of preventive and responsive practices to support social, emotional and educational well-being. They follow ethical and legal guidelines and work collaboratively with families and other professionals to conduct behavioral assessments for intervention and program development.

(i) Candidates use effective routines and procedures to create safe, caring, respectful, and productive learning environments for individuals with exceptionalities;

(ii) Candidates use a range of preventive and responsive practices documented as effective to support individuals' social, emotional, and educational well-being; and



(iii) Candidates systematically use data from a variety of sources to identify the purpose or function served by problem behavior to plan, implement, and evaluate behavioral interventions and social skills programs, including generalization to other environments.

7. Collaborating with Team Members: Candidates apply team processes and communication strategies to collaborate in a culturally responsive manner with families, paraprofessionals, and other professionals within the school, other educational settings, and the community to plan programs and access services for individuals with exceptionalities and their families.

(i) Candidates utilize communication, group facilitation, and problem-solving strategies in a culturally responsive manner to lead effective meetings and share expertise and knowledge to build team capacity and jointly address students' instructional and behavioral needs;

(ii) Candidates collaborate, communicate, and coordinate with families, paraprofessionals, and other professionals within the educational setting to assess, plan, and implement effective programs and services that promote progress toward measurable outcomes for individuals with and without exceptionalities and their families;

(iii) Candidates collaborate, communicate, and coordinate with professionals and agencies within the community to identify and access services, resources, and supports to meet the identified needs of individuals with exceptionalities and their families; and

(iv) Candidates work with and mentor paraprofessionals in the paraprofessionals' role of supporting the education of individuals with exceptionalities and their families.

8. Candidates are prepared to demonstrate understanding of the Specialty Standards for Special Education Adapted Curriculum published by the Council for Exceptional Children (2012):

(i) Candidates are prepared to demonstrate understanding of sensory challenges of individuals with developmental disabilities and autism spectrum disorder;

(ii) Candidates are prepared to demonstrate Speech, language, and communication of individuals with developmental disabilities and autism spectrum disorder;

(iii) Candidates are prepared to demonstrate Adaptive behavior needs of individuals with developmental disabilities and autism spectrum disorder;

(iv) Candidates are prepared to plan and implement instruction for independent functional life skills and adaptive behavior;

(v) Candidates are prepared to plan and implement instruction and related services in environments that are both age appropriate and ability appropriate;

(vi) Candidates are prepared to use specialized instruction to enhance social participation across environments;

(vii) Candidates are prepared to plan systematic instruction based on learner characteristics, interests, and ongoing assessment;

(viii) Candidates are prepared to use specialized instruction to enhance social participation across environments;

(ix) Candidates are prepared to demonstrate understanding of assessments of environmental conditions that promote maximum performance of individuals with developmental disabilities and autism spectrum disorder;

(x) Candidates are prepared to demonstrate understanding of components of assessment for the core areas for individuals with developmental disabilities and autism spectrum disorder;

- (xi) Candidates are prepared to develop strategies for monitoring and analyzing challenging behavior and its communicative intent;
  - (xii) Candidates are prepared to conduct functional behavior assessments that lead to development of behavior support plans;
  - (xiii) Candidates are prepared to implement instructional programs that promote effective communication skills using verbal and augmentative and alternative communication systems;
  - (xiv) Candidates are prepared to provide instruction in community-based settings;
  - (xv) Candidates are prepared to demonstrate understanding of continuum of placement and services available for individuals with developmental disabilities and autism spectrum disorder;
  - (xvi) Candidates are prepared to demonstrate understanding of perspectives held by individuals with developmental disabilities and autism spectrum disorder;
  - (xvii) Candidates are prepared to demonstrate understanding of concepts of self-determination, self-advocacy, and community and family support, and impact in the lives of individuals with developmental disabilities and autism spectrum disorder; and
  - (xviii) Candidates are prepared to collaborate with team members to plan transition to adulthood that encourages full community participation.
- (b) The program shall prepare professionals who understand and apply principles of teaching reading and writing and who meet the following identified standards specified by the International Literacy Association, 2017. This requirement may be met in a separate three (3) semester-hour course.
1. Candidates use instructional approaches, materials, and an integrated, comprehensive, balanced curriculum to support student learning in reading and writing.
  2. Candidates use a variety of assessment tools and practices to plan and evaluate effective reading and writing instruction.
  3. Candidates create a literate environment that fosters reading and writing by integrating foundational knowledge, instructional practices, approaches and methods, curriculum materials, and the appropriate use of assessments.
- (c) The program shall require the completion of a content concentration in social science, science, math, language arts, or reading.
1. A content concentration shall consist of fifteen (15) semester hours of academic content that conforms with the requirements of the content concentrations for middle grades. (See GaPSC Rule [505-3-.19](#), MIDDLE GRADES EDUCATION PROGRAM.)
  2. A course taken to meet the requirements of (b) (above) may be counted toward the fifteen semester hours required for the reading concentration.
  3. A course taken to meet the requirements of (b) (above) may be counted toward the fifteen semester hours required for the language arts concentration.

**Cite as** Ga. Comp. R. & Regs. R. 505-3-.54

**AUTHORITY:** O.C.G.A. § [20-2-200](#).

**HISTORY:** Original Rule entitled "Instructional Technology Program" adopted. F. Jun. 22, 2011; eff. Oct. 15, 2011.

**Repealed:** New Rule entitled "Special Education Adapted Curriculum Program" adopted. F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Apr. 4, 2023; eff. Apr. 15, 2023, as specified by the Agency.

### **505-3-.55 Special Education General Curriculum Program**

(1) **Purpose.** This rule states field-specific content standards for approving programs that prepare teachers to teach all students P-12 with disabilities whose individual education program indicates instruction using the general education curriculum and participation in the general statewide assessment. This rule supplements requirements in GaPSC Rule [505-3-.01](#), REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

#### **(2) Requirements.**

(a) 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 published by the Council for Exceptional Children (2020):

1. Engaging in Professional Learning and Practice within Ethical Guidelines: Candidates practice within ethical and legal guidelines; advocate for improved outcomes for individuals with exceptionalities and their families while considering their social, cultural, and linguistic diversity; and engage in ongoing self-reflection to design and implement professional learning activities.

(i) Candidates practice within ethical guidelines and legal policies and procedures;

(ii) Candidates advocate for improved outcomes for individuals with exceptionalities and their families while addressing the unique needs of those with diverse social, cultural, and linguistic backgrounds; and

(iii) Candidates design and implement professional learning activities based on ongoing analysis of student learning; self-reflection; and professional standards, research, and contemporary practices.

2. Understanding and Addressing Each Individual's Developmental and Learning Needs: Candidates use their understanding of human growth and development, the multiple influences on development, individual differences, diversity, including exceptionalities, and families and communities to plan and implement inclusive learning environments and experiences that provide individuals with exceptionalities high quality learning experiences reflective of each individual's strengths and needs.

(i) Candidates apply understanding of human growth and development to create developmentally appropriate and meaningful learning experiences that address individualized strengths and needs of students with exceptionalities; and

(ii) Candidates use their knowledge and understanding of diverse factors that influence development and learning, including differences related to families, languages, cultures, and communities, and individual differences, including exceptionalities, to plan and implement learning experiences and environments.

3. Demonstrating Subject Matter Content and Specialized Curricular Knowledge: Candidates apply their understanding of the academic subject matter content of the general curriculum and specialized curricula to inform their programmatic and instructional decisions for learners with exceptionalities.

(i) Candidates apply their understanding of academic subject matter content of the general curriculum to inform their programmatic and instructional decisions for individuals with exceptionalities; and

(ii) Candidates augment the general education curriculum to address skills and strategies that students with disabilities need to access the core curriculum and function successfully within a variety of contexts as well as the

continuum of placement options to assure specially designed instruction is developed and implemented to achieve mastery of curricular standards and individualized goals and objectives.

4. Using Assessment to Understand the Learner and the Learning Environment for Databased Decision Making: Candidates assess students' learning, behavior, and the classroom environment in order to evaluate and support classroom and school-based problem-solving systems of intervention and instruction. Candidates evaluate students to determine their strengths and needs, contribute to students' eligibility determination, communicate students' progress, inform short and long-term instructional planning, and make ongoing adjustments to instruction using technology as appropriate.

(i) Candidates collaboratively develop, select, administer, analyze, and interpret multiple measures of student learning, behavior, and the classroom environment to evaluate and support classroom and school-based systems of intervention for students with and without exceptionalities;

(ii) Candidates develop, select, administer, and interpret multiple, formal and informal, culturally and linguistically appropriate measures and procedures that are valid and reliable to contribute to eligibility determination for special education services; and

(iii) Candidates assess, collaboratively analyze, interpret, and communicate students' progress toward measurable outcomes using technology as appropriate, to inform both short- and long-term planning, and make ongoing adjustments to instruction.

5. Supporting Learning Using Effective Instruction: Candidates use knowledge of individuals' development, learning needs, and assessment data to inform decisions about effective instruction. Candidates use explicit instructional strategies and employ strategies to promote active engagement and increased motivation to individualize instruction to support each individual. Candidates use whole group instruction, flexible grouping, small group instruction, and individual instruction. Candidates teach individuals to use meta-/cognitive strategies to support and self-regulate learning.

(i) Candidates use findings from multiple assessments, including student self-assessment, that are responsive to cultural and linguistic diversity and specialized as needed, to identify what students know and are able to do. They then interpret the assessment data to appropriately plan and guide instruction to meet rigorous academic and non-academic content and goals for each individual;

(ii) Candidates use effective strategies to promote active student engagement, increase student motivation, increase opportunities to respond, and enhance self-regulation of student learning;

(iii) Candidates use explicit, systematic instruction to teach content, strategies, and skills to make clear what a learner needs to do or think about while learning. Candidates use flexible grouping to support the use of instruction that is adapted to meet the needs of each individual and group; and

(iv) Candidates organize and manage focused, intensive small group instruction to meet the learning needs of each individual. Candidates plan and deliver specialized, individualized instruction that is used to meet the learning needs of each individual.

6. Supporting Social, Emotional, and Behavioral Growth: Candidates create and contribute to safe, respectful, and productive learning environments for individuals with exceptionalities through the use of effective routines and procedures and use a range of preventive and responsive practices to support social, emotional and educational well-being. They follow ethical and legal guidelines and work collaboratively with families and other professionals to conduct behavioral assessments for intervention and program development.

(i) Candidates use effective routines and procedures to create safe, caring, respectful, and productive learning environments for individuals with exceptionalities;

(ii) Candidates use a range of preventive and responsive practices documented as effective to support individuals' social, emotional, and educational well-being; and

(iii) Candidates systematically use data from a variety of sources to identify the purpose or function served by problem behavior to plan, implement, and evaluate behavioral interventions and social skills programs, including generalization to other environments.

7. Collaborating with Team Members: Candidates apply team processes and communication strategies to collaborate in a culturally responsive manner with families, paraprofessionals, and other professionals within the school, other educational settings, and the community to plan programs and access services for individuals with exceptionalities and their families.

(i) Candidates utilize communication, group facilitation, and problem-solving strategies in a culturally responsive manner to lead effective meetings and share expertise and knowledge to build team capacity and jointly address students' instructional and behavioral needs;

(ii) Candidates collaborate, communicate, and coordinate with families, paraprofessionals, and other professionals within the educational setting to assess, plan, and implement effective programs and services that promote progress toward measurable outcomes for individuals with and without exceptionalities and their families;

(iii) Candidates collaborate, communicate, and coordinate with professionals and agencies within the community to identify and access services, resources, and supports to meet the identified needs of individuals with exceptionalities and their families; and

(iv) Candidates work with and mentor paraprofessionals in the paraprofessionals' role of supporting the education of individuals with exceptionalities and their families.

(b) The program shall prepare professionals who understand and apply principles of teaching reading and writing and who meet the following identified standards specified by the International Literacy Association, 2017. This requirement may be met in a separate three (3) semester-hour course.

1. Candidates use instructional approaches, materials, and an integrated, comprehensive, balanced curriculum to support student learning in reading and writing.

2. Candidates use a variety of assessment tools and practices to plan and evaluate effective reading and writing instruction.

3. Candidates create a literate environment that fosters reading and writing by integrating foundational knowledge, instructional practices, approaches and methods, curriculum materials, and the appropriate use of assessments.

(c) The program shall require the completion of a content concentration in social science, science, math, language arts, or reading.

1. A content concentration shall consist of fifteen (15) semester hours of academic content that conforms with the requirements of the content concentrations for middle grades. (See GaPSC Rule [505-3-.19](#), MIDDLE GRADES EDUCATION PROGRAM).

2. A course taken to meet the requirements of (b) (above) may be counted toward the fifteen semester hours required for the reading concentration.

3. A course taken to meet the requirements of (b) (above) may be counted toward the fifteen semester hours required for the language arts concentration.

**Cite as** Ga. Comp. R. & Regs. R. 505-3-.55

**AUTHORITY:** O.C.G.A. § [20-2-200](#).

**HISTORY:** Original Rule entitled "Speech Education Program" adopted. F. Dec. 18, 1991; eff. Jan. 7, 1992.

**Repealed:** New Rule entitled "School Nutrition Director Program" adopted. F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

**Repealed:** New Rule, same title adopted. F. Nov. 9, 2001; eff. Dec. 1, 2001, as specified by the Agency.

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

**Repealed:** Rule reserved. F. Oct. 24, 2005; eff. Nov. 15, 2005, as specified by the Agency.

**Adopted:** New Rule entitled "Curriculum and Instruction Program" adopted. F. Dec. 20, 2011; eff. Jan. 15, 2012.

**Repealed:** New Rule entitled "Special Education General Curriculum Program" adopted. F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Apr. 4, 2023; eff. Apr. 15, 2023, as specified by the Agency.

### **505-3-.56 Special Education General Curriculum Elementary Education (P-5) Program**

(1) **Purpose.** This rule states field-specific content standards for approving programs that prepare teachers to provide instruction or instructional support to all students in grades P-5, including those with disabilities whose individual education plan indicates instruction using the general statewide assessments. This rule supplements requirements in GaPSC Rule [505-3-.01](#), REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

#### **(2) Requirements.**

(a) 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 published by the Council for Exceptional Children (2020):

1. Engaging in Professional Learning and Practice within Ethical Guidelines: Candidates practice within ethical and legal guidelines; advocate for improved outcomes for individuals with exceptionalities and their families while considering their social, cultural, and linguistic diversity; and engage in ongoing self-reflection to design and implement professional learning activities.

(i) Candidates practice within ethical guidelines and legal policies and procedures;

(ii) Candidates advocate for improved outcomes for individuals with exceptionalities and their families while addressing the unique needs of those with diverse social, cultural, and linguistic backgrounds; and

(iii) Candidates design and implement professional learning activities based on ongoing analysis of student learning; self-reflection; and professional standards, research, and contemporary practices.

2. Understanding and Addressing Each Individual's Developmental and Learning Needs: Candidates use their understanding of human growth and development, the multiple influences on development, individual differences, diversity, including exceptionalities, and families and communities to plan and implement inclusive learning environments and experiences that provide individuals with exceptionalities high quality learning experiences reflective of each individual's strengths and needs.

(i) Candidates apply understanding of human growth and development to create developmentally appropriate and meaningful learning experiences that address individualized strengths and needs of students with exceptionalities; and

(ii) Candidates use their knowledge and understanding of diverse factors that influence development and learning, including differences related to families, languages, cultures, and communities, and individual differences, including exceptionalities, to plan and implement learning experiences and environments.

3. Demonstrating Subject Matter Content and Specialized Curricular Knowledge: Candidates apply their understanding of the academic subject matter content of the general curriculum and specialized curricula to inform their programmatic and instructional decisions for learners with exceptionalities.

(i) Candidates apply their understanding of academic subject matter content of the general curriculum to inform their programmatic and instructional decisions for individuals with exceptionalities; and

(ii) Candidates augment the general education curriculum to address skills and strategies that students with disabilities need to access the core curriculum and function successfully within a variety of contexts as well as the continuum of placement options to assure specially designed instruction is developed and implemented to achieve mastery of curricular standards and individualized goals and objectives.

4. Using Assessment to Understand the Learner and the Learning Environment for Databased Decision Making: Candidates assess students' learning, behavior, and the classroom environment in order to evaluate and support classroom and school-based problem-solving systems of intervention and instruction. Candidates evaluate students to determine their strengths and needs, contribute to students' eligibility determination, communicate students' progress, inform short- and long-term instructional planning, and make ongoing adjustments to instruction using technology as appropriate.

(i) Candidates collaboratively develop, select, administer, analyze, and interpret multiple measures of student learning, behavior, and the classroom environment to evaluate and support classroom and school-based systems of intervention for students with and without exceptionalities;

(ii) Candidates develop, select, administer, and interpret multiple, formal and informal, culturally and linguistically appropriate measures and procedures that are valid and reliable to contribute to eligibility determination for special education services; and

(iii) Candidates assess, collaboratively analyze, interpret, and communicate students' progress toward measurable outcomes using technology as appropriate, to inform both short- and long-term planning, and make ongoing adjustments to instruction.

5. Supporting Learning Using Effective Instruction: Candidates use knowledge of individuals' development, learning needs, and assessment data to inform decisions about effective instruction. Candidates use explicit instructional strategies and employ strategies to promote active engagement and increased motivation to individualize instruction to support each individual. Candidates use whole group instruction, flexible grouping, small group instruction, and individual instruction. Candidates teach individuals to use meta-/cognitive strategies to support and self-regulate learning.

(i) Candidates use findings from multiple assessments, including student self-assessment, that are responsive to cultural and linguistic diversity and specialized as needed, to identify what students know and are able to do. They then interpret the assessment data to appropriately plan and guide instruction to meet rigorous academic and non-academic content and goals for each individual;

(ii) Candidates use effective strategies to promote active student engagement, increase student motivation, increase opportunities to respond, and enhance self-regulation of student learning;

(iii) Candidates use explicit, systematic instruction to teach content, strategies, and skills to make clear what a learner needs to do or think about while learning. Candidates use flexible grouping to support the use of instruction that is adapted to meet the needs of each individual and group; and

(iv) Candidates organize and manage focused, intensive small group instruction to meet the learning needs of each individual. Candidates plan and deliver specialized, individualized instruction that is used to meet the learning needs of each individual.

6. Supporting Social, Emotional, and Behavioral Growth: Candidates create and contribute to safe, respectful, and productive learning environments for individuals with exceptionalities through the use of effective routines and procedures and use a range of preventive and responsive practices to support social, emotional and educational well-being. They follow ethical and legal guidelines and work collaboratively with families and other professionals to conduct behavioral assessments for intervention and program development.

(i) Candidates use effective routines and procedures to create safe, caring, respectful, and productive learning environments for individuals with exceptionalities;

(ii) Candidates use a range of preventive and responsive practices documented as effective to support individuals' social, emotional, and educational well-being; and

(iii) Candidates systematically use data from a variety of sources to identify the purpose or function served by problem behavior to plan, implement, and evaluate behavioral interventions and social skills programs, including generalization to other environments.

7. Collaborating with Team Members: Candidates apply team processes and communication strategies to collaborate in a culturally responsive manner with families, paraprofessionals, and other professionals within the school, other educational settings, and the community to plan programs and access services for individuals with exceptionalities and their families.

(i) Candidates utilize communication, group facilitation, and problem-solving strategies in a culturally responsive manner to lead effective meetings and share expertise and knowledge to build team capacity and jointly address students' instructional and behavioral needs;

(ii) Candidates collaborate, communicate, and coordinate with families, paraprofessionals, and other professionals within the educational setting to assess, plan, and implement effective programs and services that promote progress toward measurable outcomes for individuals with and without exceptionalities and their families;

(iii) Candidates collaborate, communicate, and coordinate with professionals and agencies within the community to identify and access services, resources, and supports to meet the identified needs of individuals with exceptionalities and their families; and

(iv) Candidates work with and mentor paraprofessionals in the paraprofessionals' role of supporting the education of individuals with exceptionalities and their families.

(b) The program shall conform to the standards for the preparation of elementary teachers that appear in GaPSC Rule [505-3-.14](#), ELEMENTARY EDUCATION (P-5) PROGRAM.

(c) The program shall prepare special education elementary education professionals to meet the standards for the Reading Endorsement Program as specified in GaPSC Rule [505-3-.96](#), READING ENDORSEMENT PROGRAM.

**Cite as** Ga. Comp. R. & Regs. R. 505-3-.56

**AUTHORITY:** O.C.G.A. § [20-2-200](#).

**HISTORY:** Original Rule Entitled "Trade and Industrial Education Program" adopted. F. Dec. 18, 1991; eff. Jan. 7, 1992.

**Repealed:** New Rule entitled "School Psychologist Program" adopted. F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.



**Repealed:** New Rule, same title adopted. F. Nov. 9, 2001; eff. Dec. 1, 2001, as specified by the Agency.

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

**Repealed:** Rule reserved. F. Oct. 24, 2005; eff. Nov. 15, 2005, as specified by the Agency.

**Adopted:** New Rule entitled "Special Education General Curriculum Early Childhood Education Program (P-5)." F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Sep. 24, 2015; eff. Oct. 15, 2015, as specified by the Agency.

**Amended:** New title "Special Education General Curriculum Elementary Education (P-5) Program." F. June 26, 2019; eff. July 1, 2019, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Apr. 4, 2023; eff. Apr. 15, 2023, as specified by the Agency.

### **505-3-.57 Special Education Deaf Education Program**

(1) **Purpose.** This rule states field-specific content standards for approving programs that prepare teachers to teach students who are deaf or hard of hearing in grades P-12. This rule supplements requirements in GaPSC Rule [505-3-.01](#), REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

#### **(2) Requirements.**

(a) 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 published by the Council for Exceptional Children (2020):

1. Engaging in Professional Learning and Practice within Ethical Guidelines: Candidates practice within ethical and legal guidelines; advocate for improved outcomes for individuals with exceptionalities and their families while considering their social, cultural, and linguistic diversity; and engage in ongoing self-reflection to design and implement professional learning activities.

(i) Candidates practice within ethical guidelines and legal policies and procedures;

(ii) Candidates advocate for improved outcomes for individuals with exceptionalities and their families while addressing the unique needs of those with diverse social, cultural, and linguistic backgrounds; and

(iii) Candidates design and implement professional learning activities based on ongoing analysis of student learning; self-reflection; and professional standards, research, and contemporary practices.

2. Understanding and Addressing Each Individual's Developmental and Learning Needs: Candidates use their understanding of human growth and development, the multiple influences on development, individual differences, diversity, including exceptionalities, and families and communities to plan and implement inclusive learning environments and experiences that provide individuals with exceptionalities high quality learning experiences reflective of each individual's strengths and needs.

(i) Candidates apply understanding of human growth and development to create developmentally appropriate and meaningful learning experiences that address individualized strengths and needs of students with exceptionalities; and

(ii) Candidates use their knowledge and understanding of diverse factors that influence development and learning, including differences related to families, languages, cultures, and communities, and individual differences, including exceptionalities, to plan and implement learning experiences and environments.

3. Demonstrating Subject Matter Content and Specialized Curricular Knowledge: Candidates apply their understanding of the academic subject matter content of the general curriculum and specialized curricula to inform their programmatic and instructional decisions for learners with exceptionalities.

(i) Candidates apply their understanding of academic subject matter content of the general curriculum to inform their programmatic and instructional decisions for individuals with exceptionalities; and

(ii) Candidates augment the general education curriculum to address skills and strategies that students with disabilities need to access the core curriculum and function successfully within a variety of contexts as well as the continuum of placement options to assure specially designed instruction is developed and implemented to achieve mastery of curricular standards and individualized goals and objectives.

4. Using Assessment to Understand the Learner and the Learning Environment for Databased Decision Making: Candidates assess students' learning, behavior, and the classroom environment in order to evaluate and support classroom and school-based problem-solving systems of intervention and instruction. Candidates evaluate students to determine their strengths and needs, contribute to students' eligibility determination, communicate students' progress, inform short and long-term instructional planning, and make ongoing adjustments to instruction using technology as appropriate.

(i) Candidates collaboratively develop, select, administer, analyze, and interpret multiple measures of student learning, behavior, and the classroom environment to evaluate and support classroom and school-based systems of intervention for students with and without exceptionalities;

(ii) Candidates develop, select, administer, and interpret multiple, formal and informal, culturally and linguistically appropriate measures and procedures that are valid and reliable to contribute to eligibility determination for special education services; and

(iii) Candidates assess, collaboratively analyze, interpret, and communicate students' progress toward measurable outcomes using technology as appropriate, to inform both short- and long-term planning, and make ongoing adjustments to instruction.

5. Supporting Learning Using Effective Instruction: Candidates use knowledge of individuals' development, learning needs, and assessment data to inform decisions about effective instruction. Candidates use explicit instructional strategies and employ strategies to promote active engagement and increased motivation to individualize instruction to support each individual. Candidates use whole group instruction, flexible grouping, small group instruction, and individual instruction. Candidates teach individuals to use meta-/cognitive strategies to support and self-regulate learning.

(i) Candidates use findings from multiple assessments, including student self-assessment, that are responsive to cultural and linguistic diversity and specialized as needed, to identify what students know and are able to do. They then interpret the assessment data to appropriately plan and guide instruction to meet rigorous academic and non-academic content and goals for each individual;

(ii) Candidates use effective strategies to promote active student engagement, increase student motivation, increase opportunities to respond, and enhance self-regulation of student learning;

(iii) Candidates use explicit, systematic instruction to teach content, strategies, and skills to make clear what a learner needs to do or think about while learning. Candidates use flexible grouping to support the use of instruction that is adapted to meet the needs of each individual and group; and

(iv) Candidates organize and manage focused, intensive small group instruction to meet the learning needs of each individual. Candidates plan and deliver specialized, individualized instruction that is used to meet the learning needs of each individual.

6. Supporting Social, Emotional, and Behavioral Growth: Candidates create and contribute to safe, respectful, and productive learning environments for individuals with exceptionalities through the use of effective routines and

procedures and use a range of preventive and responsive practices to support social, emotional and educational well-being. They follow ethical and legal guidelines and work collaboratively with families and other professionals to conduct behavioral assessments for intervention and program development.

(i) Candidates use effective routines and procedures to create safe, caring, respectful, and productive learning environments for individuals with exceptionalities;

(ii) Candidates use a range of preventive and responsive practices documented as effective to support individuals' social, emotional, and educational well-being; and

(iii) Candidates systematically use data from a variety of sources to identify the purpose or function served by problem behavior to plan, implement, and evaluate behavioral interventions and social skills programs, including generalization to other environments.

7. Collaborating with Team Members: Candidates apply team processes and communication strategies to collaborate in a culturally responsive manner with families, paraprofessionals, and other professionals within the school, other educational settings, and the community to plan programs and access services for individuals with exceptionalities and their families.

(i) Candidates utilize communication, group facilitation, and problem-solving strategies in a culturally responsive manner to lead effective meetings and share expertise and knowledge to build team capacity and jointly address students' instructional and behavioral needs;

(ii) Candidates collaborate, communicate, and coordinate with families, paraprofessionals, and other professionals within the educational setting to assess, plan, and implement effective programs and services that promote progress toward measurable outcomes for individuals with and without exceptionalities and their families;

(iii) Candidates collaborate, communicate, and coordinate with professionals and agencies within the community to identify and access services, resources, and supports to meet the identified needs of individuals with exceptionalities and their families; and

(iv) Candidates work with and mentor paraprofessionals in the paraprofessionals' role of supporting the education of individuals with exceptionalities and their families.

8. Candidates are prepared to demonstrate understanding of the Specialty Standards for Deaf and Hard of Hearing (D/HH) published by the Council for Exception Children (2018):

(i) Learner Development and Individual Learning Differences.

(I) Candidates are prepared to demonstrate understanding of the effects of the interrelationship among age of identification, type and etiology, level of hearing, auditory development, and provision of services on the development of individuals who are D/HH;

(II) Candidates are prepared to demonstrate understanding of auditory development of individuals who are D/HH;

(III) Candidates are prepared to demonstrate understanding of visual and spoken languages and communication modes;

(IV) Candidates are prepared to demonstrate understanding of the impact of exceptionalities on the development of language and learning for individuals who are D/HH, including the ways in which exceptionalities may interact with varying hearing levels resulting in more complex needs;

(V) Candidates are prepared to demonstrate understanding of the importance of advocating for equal access to language and communication in the individual's preferred mode across all educational settings;

(VI) Candidates are prepared to incorporate current theories of spoken and signed language development of individuals who are D/HH and components of communication competence into programming and planning for students;

(VII) Candidates are prepared to develop individualized programming and instruction in light of various aspects of hearing status;

(VIII) Candidates are prepared to incorporate auditory development of individuals who are D/HH into programming and planning for students;

(IX) Candidates are prepared to implement evidence-based practices in early intervention services specifically related to overall development of children who are D/HH and family outcomes;

(X) Candidates are prepared to identify and support communication modes that provide equal access, based on the needs and preferences of individuals and their families;

(XI) Candidates are prepared to deliver individualized programming and planning informed by the presence of identified exceptionalities; and

(XII) Candidates are prepared to identify and support all Least Restricted Environment (LRE) options to facilitate Individualized Education Program (IEP) team decisions taking communication into account.

(ii) Learning Environments.

(I) Candidates are prepared to demonstrate understanding of the influence of educational placement, family communication, language, cultural identity, socioeconomic status, home and community environment, and child maltreatment on development and learning;

(II) Candidates are prepared to demonstrate the value of peers and role models who are D/HH on family perceptions, decision making, and student outcomes;

(III) Candidates are prepared to demonstrate factors impacting visual and/or auditory learning;

(IV) Candidates are prepared to promote ongoing opportunities for interactions between individuals who are D/HH and their families with peers and role models who are D/HH;

(V) Candidates are prepared to assist with routines related to assistive technology used by individuals who are D/HH to enhance access to the environment;

(VI) Candidates are prepared to design or modify a language-rich learning environment that maximizes opportunities for visual and/or auditory learning and meets developmental and learning needs; and

(VII) Candidates are prepared to structure the learning environments to encourage developmentally appropriate self-advocacy and self-determination skills.

(iii) Curricular Content Knowledge.

(I) Candidates are prepared to demonstrate understanding of the interrelationship between services and curricular sequencing and progressions;

(II) Candidates are prepared to integrate evidence-based language and literacy instruction across all academic areas; and

(III) Candidates are prepared to differentiate and adapt curricula in response to diverse populations across multiple educational settings.

(iv) Assessment.

(I) Candidates are prepared to demonstrate understanding of the range of assessment types, from informal to standardized;

(II) Candidates are prepared to demonstrate understanding of the appropriate formative, summative, and diagnostic assessment of expanded core curriculum, auditory skills, visual language skills, self-advocacy, self-determination, functional listening, self-care skills, and student safety;

(III) Candidates are prepared to demonstrate understanding of the relationship between assessment data, reporting, and programming and planning;

(IV) Candidates are prepared to utilize appropriate terminology and interpret results across assessments;

(V) Candidates are prepared to ensure equal access to communication and minimized biased assessment with regard to laws, policies, and ethical principles;

(VI) Candidates are prepared to use and interpret technically sound assessments for individuals with D/HH;

(VII) Candidates are prepared to administer appropriate formative, summative, and diagnostic assessments;

(VIII) Candidates are prepared to identify or develop appropriate specialized assessments that allow for alternative forms of expression, and select appropriate accommodations and modifications;

(IX) Candidates are prepared to collect and analyze a range of spoken, signed, written, or other language and communication samples; and

(X) Candidates are prepared to utilize assessment data to develop reports and to inform programming and planning.

(v) Instructional Planning and Strategies.

(I) Candidates are prepared to demonstrate language/modes of communication used by individuals who are D/HH;

(II) Candidates are prepared to demonstrate understanding of the strategies that promote curricular programming that is responsive to diverse populations across multiple educational settings;

(III) Candidates are prepared to tailor evidence-based instructional strategies and specialized technologies across a variety of service delivery models and instructional setting;

(IV) Candidates are prepared to coordinate and collaborate to ensure appropriate instruction and planning;

(V) Candidates are prepared to implement strategies for supporting audition;

(VI) Candidates are prepared to implement strategies for conserving vision and hearing;

(VII) Candidates are prepared to implement evidence-based strategies for developing language in individuals' preferred communication mode(s);

(VIII) Candidates are prepared to promote optimal access to communication to facilitate inclusive experiences;

(IX) Candidates are prepared to develop proficiency in the languages/modes of communication used by individuals who are D/HH;

(X) Candidates are prepared to promote literacy and content area reading and writing through the individual's preferred communication mode(s);

(XI) Candidates are prepared to apply first and second language teaching strategies;

(XII) Candidates are prepared to ensure use of visual tools, organizers, and current assistive technology that enhances communication access that support programming and planning across a variety of service delivery models and instructional settings; and

(XIII) Candidates are prepared to plan and implement transitions across service continua.

(vi) Professional Learning and Ethical Practice.

(I) Candidates are prepared to demonstrate understanding of laws, policies, and ethical principles guiding equal access to communication in individuals' preferred communication mode(s);

(II) Candidates are prepared to demonstrate understanding of the awareness of the educator's language competence in supporting individual outcomes;

(III) Candidates are prepared to demonstrate understanding of the sociocultural, historical, and political considerations unique to Deaf culture and the field of education of individuals who are D/HH;

(IV) Candidates are prepared to advocate, using impartial ethical practices, based on the needs of the individual or family;

(V) Candidates are prepared to apply ethical decision making related to optimal access to communication in individuals' preferred communication mode(s) for all programming and planning;

(VI) Candidates are prepared to increase educator's competence in the individual's preferred communication mode(s);

(VII) Candidates are prepared to advocate for and implement programming and planning to provide equal communication access to individuals across all educational settings; and

(VIII) Candidates are prepared to use historical foundations and research evidence to inform educational programming and planning.

(vii) Collaboration.

(I) Candidates are prepared to demonstrate understanding of the services, organizations, and networks that are relevant to individuals who are D/HH;

(II) Candidates are prepared to demonstrate understanding of the policies, procedures, and resources for universal newborn hearing screening and early intervention;

(III) Candidates are prepared to demonstrate understanding of the roles and responsibilities of support staff in programming and planning;

(IV) Candidates are prepared to demonstrate collaborative behaviors within the boundaries of the professionals' scope of practice;

(V) Candidates are prepared to interpret relevant data and statistics related to hearing levels and their potential impact on outcomes;

(VI) Candidates are prepared to participate in professional networks relevant to the education of individuals who are D/HH;

(VII) Candidates are prepared to provide families with information in an impartial manner to make informed choices regarding communication modes, philosophies, and educational options; and

(VIII) Candidates are prepared to prepare and assist team members to work with D/HH team members across a variety of service delivery models and instructional environments.

(b) The program shall prepare professionals who understand and apply principles of teaching reading and writing and who meet the following identified standards specified by the International Literacy Association, 2017. This requirement may be met in a separate three (3) semester-hour course.

1. Candidates use instructional approaches, materials, and an integrated, comprehensive, balanced curriculum to support student learning in reading and writing.

2. Candidates use a variety of assessment tools and practices to plan and evaluate effective reading and writing instruction.

3. Candidates create a literate environment that fosters reading and writing by integrating foundational knowledge, instructional practices, approaches and methods, curriculum materials, and the appropriate use of assessments.

(c) The program shall require the completion of a content concentration in social science, science, math, language arts, or reading.

1. A content concentration shall consist of fifteen (15) semester hours of academic content that conforms with the requirements of the content concentrations for middle grades. (See GaPSC Rule [505-3-.19](#), MIDDLE GRADES EDUCATION PROGRAM).

2. A course taken to meet the requirements of (b) (above) may be counted toward the fifteen semester hours required for the reading concentration.

3. A course taken to meet the requirements of (b) (above) may be counted toward the fifteen semester hours required for the language arts concentration.

**Cite as** Ga. Comp. R. & Regs. R. 505-3-.57

**AUTHORITY:** O.C.G.A. § [20-2-200](#).

**HISTORY:** Original Rule entitled "Visually Impaired Education Program" adopted. F. Dec. 18, 1991; eff. Jan. 7, 1992.

**Repealed:** New Rule entitled "School Social Worker Program" adopted. F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

**Repealed:** New Rule, same title adopted. F. Nov. 9, 2001; eff. Dec. 1, 2001, as specified by the Agency.

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

**Repealed:** Rule reserved. F. Oct. 24, 2005; eff. Nov. 15, 2005, as specified by the Agency.

**Adopted:** New Rule entitled "Special Education Deaf Education Program." F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Apr. 4, 2023; eff. Apr. 15, 2023, as specified by the Agency.

### **505-3-.58 Special Education Physical and Health Disabilities Program**

(1) **Purpose.** This rule states field-specific content standards for approving programs that prepare teachers to provide instruction or instructional support to P-12 students who have physical or health-related disabilities for all or part of a student's general or special curriculum needs as indicated in the Individual Education Plan (IEP). This rule

supplements requirements in GaPSC Rule [505-3-.01](#), REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

**(2) Requirements.**

(a) 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 published by the Council for Exceptional Children (2020):

1. Engaging in Professional Learning and Practice within Ethical Guidelines: Candidates practice within ethical and legal guidelines; advocate for improved outcomes for individuals with exceptionalities and their families while considering their social, cultural, and linguistic diversity; and engage in ongoing self-reflection to design and implement professional learning activities.

(i) Candidates practice within ethical guidelines and legal policies and procedures;

(ii) Candidates advocate for improved outcomes for individuals with exceptionalities and their families while addressing the unique needs of those with diverse social, cultural, and linguistic backgrounds; and

(iii) Candidates design and implement professional learning activities based on ongoing analysis of student learning; self-reflection; and professional standards, research, and contemporary practices.

2. Understanding and Addressing Each Individual's Developmental and Learning Needs: Candidates use their understanding of human growth and development, the multiple influences on development, individual differences, diversity, including exceptionalities, and families and communities to plan and implement inclusive learning environments and experiences that provide individuals with exceptionalities high quality learning experiences reflective of each individual's strengths and needs.

(i) Candidates apply understanding of human growth and development to create developmentally appropriate and meaningful learning experiences that address individualized strengths and needs of students with exceptionalities; and

(ii) Candidates use their knowledge and understanding of diverse factors that influence development and learning, including differences related to families, languages, cultures, and communities, and individual differences, including exceptionalities, to plan and implement learning experiences and environments.

3. Demonstrating Subject Matter Content and Specialized Curricular Knowledge: Candidates apply their understanding of the academic subject matter content of the general curriculum and specialized curricula to inform their programmatic and instructional decisions for learners with exceptionalities.

(i) Candidates apply their understanding of academic subject matter content of the general curriculum to inform their programmatic and instructional decisions for individuals with exceptionalities; and

(ii) Candidates augment the general education curriculum to address skills and strategies that students with disabilities need to access the core curriculum and function successfully within a variety of contexts as well as the continuum of placement options to assure specially designed instruction is developed and implemented to achieve mastery of curricular standards and individualized goals and objectives.

4. Using Assessment to Understand the Learner and the Learning Environment for Data-based Decision Making: Candidates assess students' learning, behavior, and the classroom environment in order to evaluate and support classroom and school-based problem-solving systems of intervention and instruction. Candidates evaluate students to determine their strengths and needs, contribute to students' eligibility determination, communicate students' progress, inform short and long-term instructional planning, and make ongoing adjustments to instruction using technology as appropriate.



(i) Candidates collaboratively develop, select, administer, analyze, and interpret multiple measures of student learning, behavior, and the classroom environment to evaluate and support classroom and school-based systems of intervention for students with and without exceptionalities;

(ii) Candidates develop, select, administer, and interpret multiple, formal and informal, culturally and linguistically appropriate measures and procedures that are valid and reliable to contribute to eligibility determination for special education services; and

(iii) Candidates assess, collaboratively analyze, interpret, and communicate students' progress toward measurable outcomes using technology as appropriate, to inform both short- and long-term planning, and make ongoing adjustments to instruction.

5. Supporting Learning Using Effective Instruction: Candidates use knowledge of individuals' development, learning needs, and assessment data to inform decisions about effective instruction. Candidates use explicit instructional strategies and employ strategies to promote active engagement and increased motivation to individualize instruction to support each individual. Candidates use whole group instruction, flexible grouping, small group instruction, and individual instruction. Candidates teach individuals to use meta-/cognitive strategies to support and self-regulate learning.

(i) Candidates use findings from multiple assessments, including student self-assessment, that are responsive to cultural and linguistic diversity and specialized as needed, to identify what students know and are able to do. They then interpret the assessment data to appropriately plan and guide instruction to meet rigorous academic and non-academic content and goals for each individual;

(ii) Candidates use effective strategies to promote active student engagement, increase student motivation, increase opportunities to respond, and enhance self-regulation of student learning;

(iii) Candidates use explicit, systematic instruction to teach content, strategies, and skills to make clear what a learner needs to do or think about while learning. Candidates use flexible grouping to support the use of instruction that is adapted to meet the needs of each individual and group; and

(iv) Candidates organize and manage focused, intensive small group instruction to meet the learning needs of each individual. Candidates plan and deliver specialized, individualized instruction that is used to meet the learning needs of each individual.

6. Supporting Social, Emotional, and Behavioral Growth: Candidates create and contribute to safe, respectful, and productive learning environments for individuals with exceptionalities through the use of effective routines and procedures and use a range of preventive and responsive practices to support social, emotional and educational well-being. They follow ethical and legal guidelines and work collaboratively with families and other professionals to conduct behavioral assessments for intervention and program development.

(i) Candidates use effective routines and procedures to create safe, caring, respectful, and productive learning environments for individuals with exceptionalities;

(ii) Candidates use a range of preventive and responsive practices documented as effective to support individuals' social, emotional, and educational well-being; and

(iii) Candidates systematically use data from a variety of sources to identify the purpose or function served by problem behavior to plan, implement, and evaluate behavioral interventions and social skills programs, including generalization to other environments.

7. Collaborating with Team Members: Candidates apply team processes and communication strategies to collaborate in a culturally responsive manner with families, paraprofessionals, and other professionals within the school, other educational settings, and the community to plan programs and access services for individuals with exceptionalities and their families.

- (i) Candidates utilize communication, group facilitation, and problem-solving strategies in a culturally responsive manner to lead effective meetings and share expertise and knowledge to build team capacity and jointly address students' instructional and behavioral needs;
- (ii) Candidates collaborate, communicate, and coordinate with families, paraprofessionals, and other professionals within the educational setting to assess, plan, and implement effective programs and services that promote progress toward measurable outcomes for individuals with and without exceptionalities and their families;
- (iii) Candidates collaborate, communicate, and coordinate with professionals and agencies within the community to identify and access services, resources, and supports to meet the identified needs of individuals with exceptionalities and their families; and
- (iv) Candidates work with and mentor paraprofessionals in the paraprofessionals' role of supporting the education of individuals with exceptionalities and their families.

8. Candidates are prepared to demonstrate understanding of the Specialty Standards for Special Education Physical and Health Disabilities published by the Council for Exception Children (2012):

- (i) Candidates are prepared to demonstrate understanding of the implications of physical and health disabilities on development and learning;
- (ii) Candidates are prepared to demonstrate understanding of the functional effects of the type and severity of physical and health disabilities on individual performance;
- (iii) Candidates are prepared to demonstrate understanding of the psychosocial effects of physical and health disabilities;
- (iv) Candidates are prepared to demonstrate understanding of the adaptations of educational environments to enhance the potential of individuals with physical and health disabilities;
- (v) Candidates are prepared to demonstrate understanding of the barriers to accessibility by individuals with physical and health disabilities;
- (vi) Candidates are prepared to use proper positioning techniques and equipment to promote participation in academic and social environments;
- (vii) Candidates are prepared to demonstrate proper body mechanics to promote individual and teacher safety in transfer, lifting, positioning, and seating;
- (viii) Candidates are prepared to demonstrate understanding of continuum of non-symbolic to symbolic forms of communication;
- (ix) Candidates are prepared to demonstrate understanding of valid and reliable assessment instruments for individuals who have poor motor skills and for those who are nonverbal;
- (x) Candidates are prepared to teach response modes to establish accuracy in the assessment of individuals with physical and health disabilities;
- (xi) Candidates are prepared to demonstrate understanding of the adaptations and assistive technology necessary to accommodate the unique characteristics of individuals with physical and health disabilities;
- (xii) Candidates are prepared to demonstrate understanding of the incorporation of augmentative and assistive communication into instruction and daily living activities;
- (xiii) Candidates are prepared to use specialized instructional strategies for academic and functional tasks for individuals with physical and health disabilities;

(xiv) Candidates are prepared to use adaptations and assistive technology to provide access to and participation in the general education curriculum; and

(xv) Candidates are prepared to demonstrate techniques for teaching literacy skills to individuals who are nonverbal.

(b) The program shall prepare professionals who understand and apply principles of teaching reading and writing and who meet the following identified standards specified by the International Literacy Association, 2017. This requirement may be met in a separate three (3) semester-hour course.

1. Candidates use instructional approaches, materials, and an integrated, comprehensive, balanced curriculum to support student learning in reading and writing.

2. Candidates use a variety of assessment tools and practices to plan and evaluate effective reading and writing instruction.

3. Candidates create a literate environment that fosters reading and writing by integrating foundational knowledge, instructional practices, approaches and methods, curriculum materials, and the appropriate use of assessments.

(c) The program shall require the completion of a content concentration in social science, science, math, language arts, or reading.

1. A content concentration shall consist of fifteen (15) semester hours of academic content that conforms with the requirements of the content concentrations for middle grades. (See GaPSC Rule [505-3-.19](#), MIDDLE GRADES EDUCATION PROGRAM).

2. A course taken to meet the requirements of (b) (above) may be counted toward the fifteen semester hours required for the reading concentration.

3. A course taken to meet the requirements of (b) (above) may be counted toward the fifteen semester hours required for the language arts concentration.

**Cite as** Ga. Comp. R. & Regs. R. 505-3-.58

**AUTHORITY:** O.C.G.A. § [20-2-200](#).

**HISTORY:** Original Rule entitled "Speech and Language Pathology (SLP) Program" adopted. F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

**Repealed:** New Rule entitled "Speech and Language Pathology Program" adopted. F. Nov. 9, 2001; eff. Dec. 1, 2001, as specified by the Agency.

**Repealed:** New Rule entitled "Educational Leadership Program" adopted. F. Oct. 24, 2005; eff. Nov. 15, 2005, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Mar. 8, 2007; eff. Apr. 15, 2007.

**Repealed:** New Rule entitled "Special Education Physical and Health Disabilities Program" adopted. F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Apr. 4, 2023; eff. Apr. 15, 2023, as specified by the Agency.

### **505-3-.60 Special Education Visual Impairments Program**

(1) **Purpose.** This rule states field-specific content standards for approving programs that prepare teachers to teach students with visual impairments in grades P-12. This rule supplements requirements in GaPSC Rule [505-3-.01](#),

## REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

### (2) Requirements.

(a) 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 published by the Council for Exceptional Children (2020):

1. Engaging in Professional Learning and Practice within Ethical Guidelines: Candidates practice within ethical and legal guidelines; advocate for improved outcomes for individuals with exceptionalities and their families while considering their social, cultural, and linguistic diversity; and engage in ongoing self-reflection to design and implement professional learning activities.

(i) Candidates practice within ethical guidelines and legal policies and procedures;

(ii) Candidates advocate for improved outcomes for individuals with exceptionalities and their families while addressing the unique needs of those with diverse social, cultural, and linguistic backgrounds; and

(iii) Candidates design and implement professional learning activities based on ongoing analysis of student learning, self-reflection, and professional standards, research, and contemporary practices.

2. Understanding and Addressing Each Individual's Developmental and Learning Needs: Candidates use their understanding of human growth and development, the multiple influences on development, individual differences, diversity, including exceptionalities, and families and communities to plan and implement inclusive learning environments and experiences that provide individuals with exceptionalities high quality learning experiences reflective of each individual's strengths and needs.

(i) Candidates apply understanding of human growth and development to create developmentally appropriate and meaningful learning experiences that address individualized strengths and needs of students with exceptionalities; and

(ii) Candidates use their knowledge and understanding of diverse factors that influence development and learning, including differences related to families, languages, cultures, and communities, and individual differences, including exceptionalities, to plan and implement learning experiences and environments.

3. Demonstrating Subject Matter Content and Specialized Curricular Knowledge: Candidates apply their understanding of the academic subject matter content of the general curriculum and specialized curricula to inform their programmatic and instructional decisions for learners with exceptionalities.

(i) Candidates apply their understanding of academic subject matter content of the general curriculum to inform their programmatic and instructional decisions for individuals with exceptionalities; and

(ii) Candidates augment the general education curriculum to address skills and strategies that students with disabilities need to access the core curriculum and function successfully within a variety of contexts as well as the continuum of placement options to assure specially designed instruction is developed and implemented to achieve mastery of curricular standards and individualized goals and objectives.

4. Using Assessment to Understand the Learner and the Learning Environment for Data-based Decision Making: Candidates assess students' learning, behavior, and the classroom environment in order to evaluate and support classroom and school-based problem-solving systems of intervention and instruction. Candidates evaluate students to determine their strengths and needs, contribute to students' eligibility determination, communicate students' progress, inform short and long-term instructional planning, and make ongoing adjustments to instruction using technology as appropriate.

(i) Candidates collaboratively develop, select, administer, analyze, and interpret multiple measures of student learning, behavior, and the classroom environment to evaluate and support classroom and school-based systems of intervention for students with and without exceptionalities;

(ii) Candidates develop, select, administer, and interpret multiple, formal and informal, culturally and linguistically appropriate measures and procedures that are valid and reliable to contribute to eligibility determination for special education services; and

(iii) Candidates assess, collaboratively analyze, interpret, and communicate students' progress toward measurable outcomes using technology as appropriate, to inform both short- and long-term planning, and make ongoing adjustments to instruction.

5. Supporting Learning Using Effective Instruction: Candidates use knowledge of individuals' development, learning needs, and assessment data to inform decisions about effective instruction. Candidates use explicit instructional strategies and employ strategies to promote active engagement and increased motivation to individualize instruction to support each individual. Candidates use whole group instruction, flexible grouping, small group instruction, and individual instruction. Candidates teach individuals to use meta-/cognitive strategies to support and self-regulate learning.

(i) Candidates use findings from multiple assessments, including student self-assessment, that are responsive to cultural and linguistic diversity and specialized as needed, to identify what students know and are able to do. They then interpret the assessment data to appropriately plan and guide instruction to meet rigorous academic and non-academic content and goals for each individual;

(ii) Candidates use effective strategies to promote active student engagement, increase student motivation, increase opportunities to respond, and enhance self-regulation of student learning;

(iii) Candidates use explicit, systematic instruction to teach content, strategies, and skills to make clear what a learner needs to do or think about while learning. Candidates use flexible grouping to support the use of instruction that is adapted to meet the needs of each individual and group; and

(iv) Candidates organize and manage focused, intensive small group instruction to meet the learning needs of each individual. Candidates plan and deliver specialized, individualized instruction that is used to meet the learning needs of each individual.

6. Supporting Social, Emotional, and Behavioral Growth: Candidates create and contribute to safe, respectful, and productive learning environments for individuals with exceptionalities through the use of effective routines and procedures and use a range of preventive and responsive practices to support social, emotional and educational well-being. They follow ethical and legal guidelines and work collaboratively with families and other professionals to conduct behavioral assessments for intervention and program development.

(i) Candidates use effective routines and procedures to create safe, caring, respectful, and productive learning environments for individuals with exceptionalities;

(ii) Candidates use a range of preventive and responsive practices documented as effective to support individuals' social, emotional, and educational well-being; and

(iii) Candidates systematically use data from a variety of sources to identify the purpose or function served by problem behavior to plan, implement, and evaluate behavioral interventions and social skills programs, including generalization to other environments.

7. Collaborating with Team Members: Candidates apply team processes and communication strategies to collaborate in a culturally responsive manner with families, paraprofessionals, and other professionals within the school, other educational settings, and the community to plan programs and access services for individuals with exceptionalities and their families.

- (i) Candidates utilize communication, group facilitation, and problem-solving strategies in a culturally responsive manner to lead effective meetings and share expertise and knowledge to build team capacity and jointly address students' instructional and behavioral needs;
- (ii) Candidates collaborate, communicate, and coordinate with families, paraprofessionals, and other professionals within the educational setting to assess, plan, and implement effective programs and services that promote progress toward measurable outcomes for individuals with and without exceptionalities and their families;
- (iii) Candidates collaborate, communicate, and coordinate with professionals and agencies within the community to identify and access services, resources, and supports to meet the identified needs of individuals with exceptionalities and their families; and
- (iv) Candidates work with and mentor paraprofessionals in the paraprofessionals' role of supporting the education of individuals with exceptionalities and their families.

8. Candidates are prepared to demonstrate understanding of the Specialty Standards for Special Education Vision Impairment published by the Council for Exception Children (2018):

(i) Learner Development and Individual Learning Differences.

(I) Candidates are prepared to demonstrate understanding of the development of the human visual system and areas of the brain involved in processing visual images;

(II) Candidates are prepared to demonstrate understanding of the most prevalent causes of severe, uncorrectable visual impairment in children and youth ages birth to 22;

(III) Candidates are prepared to demonstrate understanding of terminology related to diseases and disorder of the human visual system, including cerebral/cortical visual impairment;

(IV) Candidates are prepared to demonstrate understanding of implications of prevalent visual conditions;

(V) Candidates are prepared to demonstrate understanding of sensory development and its impact on development and learning when vision is impaired;

(VI) Candidates are prepared to demonstrate understanding of the impact and implications of sociocultural/psychosocial factors on social-emotional development;

(VII) Candidates are prepared to accurately read, interpret, and summarize eye reports and serve as liaison to families and other members of the education team to individual services;

(VIII) Candidates are prepared to select and develop assessment and teaching strategies, accommodations and modifications that address age, visual impairment, family values and priorities, visual prognosis, and other individual characteristics;

(IX) Candidates are prepared to use nonvisual/alternate strategies to promote attachment, early communication/literacy, orientation and mobility, and independence to address the effects of visual impairment on families and the reciprocal impact on individuals' self-esteem; and

(X) Candidates are prepared to select, adapt, and use nonvisual/alternate instructional strategies to address co-occurring disabilities and other individual characteristics.

(ii) Learning Environments.

(I) Candidates are prepared to demonstrate understanding of physical and virtual environmental factors that impact the acquisition of spatial and positional concepts, access to and synthesis of data visualizations, and other concepts typically acquired through vision;

(II) Candidates are prepared to identify and implement physical and virtual environmental accommodations and modifications to facilitate optimal sensory use and multisensory access to, and active participation in, individual and group activities in general and expanded core curriculum environments;

(III) Candidates are prepared to collaborate with team members to design and implement environments that promote optimal sensory use, foundational orientation and mobility skills, independence, social engagement, and efficient storage of specialized materials;

(IV) Candidates are prepared to identify unique issues specific to visual impairment for accessing digital multimedia and virtually built environments;

(V) Candidates are prepared to use ergonomics and appropriate technology settings aligned with students' preferred learning media and low tech strategies to support ubiquitous computing to promote access to the general and expanded core curriculum;

(VI) Candidates are prepared to facilitate incidental learning experiences to address nonvisual access to physical and virtual environments;

(VII) Candidates are prepared to evaluate social skills and design behavior strategies for learners with visual impairments to maximize positive social engagement and interaction across environments;

(VIII) Candidates are prepared to teach developmentally appropriate human guide, self-familiarization with new environments, protective, and alignment techniques for independent travel to promote safety across environments;

(IX) Candidates are prepared to teach orientation skills using environmental features, self-advocacy for optimal environmental accommodations and modifications, including requesting and refusing assistance as needed; and

(X) Candidates are prepared to teach nonvisual and alternate strategies for promoting digital citizenship and secure online practices.

(iii) Curricular Content Knowledge.

(I) Candidates are prepared to demonstrate understanding of the relationship of individualized assessment, intervention planning/implementation, development of individualized education programs/individualized family service plans, progress monitoring, and placement specific to unique needs of students with visual impairment including cerebral/cortical visual impairment, and co-occurring disabilities;

(II) Candidates are prepared to demonstrate understanding of the advantages and disadvantages of a wide range of instructional and assistive technologies specific to visual impairment;

(III) Candidates are prepared to demonstrate proficiency in reading, writing, proofreading, and interlining alphabetic and fully contracted Unified English Braille;

(IV) Candidates are prepared to demonstrate basic proficiency in reading and writing braille for mathematic and scientific notation and in using the abacus;

(V) Candidates are prepared to produce braille with brailier, slate and stylus, computer (including use of braille translation software), and braille production methods;

(VI) Candidates are prepared to demonstrate basic proficiency in human guide, protective, alignment, and search techniques in orientation and mobility with developmentally appropriate modifications;

(VII) Candidates are prepared to identify specialized resources unique to visual impairment to address the specific communication needs of students with varied communication abilities, reading levels, and language proficiency;

(VIII) Candidates are prepared to develop, implement, and continuously monitor learning objectives and goals for optimizing sensory efficiency, developing concepts, and accessing the general and expanded core curriculum across settings; and

(IX) Candidates are prepared to identify and adapt general education and visual impairment specific curricula for instruction of literacy, other academic areas, and the expanded core curriculum.

(iv) Assessment.

(I) Candidates are prepared to demonstrate understanding of the challenges of assessing students with visual impairments, including cerebra/cortical visual impairment, and co-occurring disabilities;

(II) Candidates are prepared to demonstrate understanding of the options for specialized assessment materials and equipment for unique sensory needs;

(III) Candidates are prepared to demonstrate understanding of the role of specialized, individualized assessment data unique to visual impairment for pre-referral, referral, annual, and tri-annual processes;

(IV) Candidates are prepared to demonstrate understanding of the implications of short- and long-term use of accommodations and modifications unique to students with visual impairments, including cerebral/cortical visual impairment, and co-occurring disabilities;

(V) Candidates are prepared to interpret medical reports and multiple sources of data, including background information and family history, to plan and implement nondiscriminatory assessments;

(VI) Candidates are prepared to use multiple sources of valid information/data, including data from formal/informal assessments to evaluate the effectiveness of intervention, instruction, specialized media, materials, equipment, and the physical environment;

(VII) Candidates are prepared to use valid assessment results and medical reports to determine eligibility for vision specific services, for students with and without specific visual diagnoses;

(VIII) Candidates are prepared to use valid assessment data and knowledge of the potential impact of visual impairment on psychosocial functioning to identify when referral for services is needed;

(IX) Candidates are prepared to adapt assessments when tests are not validated on individuals with visual impairments to determine baseline performance;

(X) Candidates are prepared to identify assessment items and measures that are biased and make recommendations for non-visual or alternate accommodations and modifications;

(XI) Candidates are prepared to collaborate with team members and families to plan and implement assessment and interpret assessment results on issues specific to visual impairment;

(XII) Candidates are prepared to conduct individualized functional vision, learning media, assistive technology and other expanded core curriculum-related assessments;

(XIII) Candidates are prepared to interpret and/or assess cognitive, motor, social, and language concepts unique to individuals with visual impairments;

(XIV) Candidates are prepared to use multiple sources of data to determine appropriate learning and literacy media (braille, print, or dual) and assistive technology;

(XV) Candidates are prepared to interpret assessment results to determine individual needs to support acquisition of skills in the general and expanded core curriculum;



(XVI) Candidates are prepared to advocate for reasonable nonvisual and alternate accommodations and modifications on standardized assessments;

(XVII) Candidates are prepared to address limitations of standard scores and non-standard data when communicating visual impairment specific assessment data to educational teams and families;

(XVIII) Candidates are prepared to assess accessibility needs of individuals who are visually impaired who are English learners or from diverse backgrounds; and

(XIX) Candidates are prepared to use results of clinical low vision evaluation, functional vision, learning media, and assistive technology assessments to identify optimal assistive technology.

(v) Instructional Planning and Strategies.

(I) Candidates are prepared to demonstrate the proper use and care of braille and braille production devices and technology equipment, including maintenance of devices and software updates;

(II) Candidates are prepared to demonstrate understanding of the importance of creating positive, productive learning environments that foster independence and student achievement, and that reduce the tendency of others to engender learned helplessness in learners with visual impairments;

(III) Candidates are prepared to demonstrate understanding of knowledge of evidence-based practices for teaching students with visual impairments, including cerebral/cortical visual impairment, and co-occurring disabilities;

(IV) Candidates are prepared to develop, coordinate, and implement appropriate programs for infants and young children with visual impairment, including those with cerebral/cortical visual impairment and co-occurring disabilities, and their families;

(V) Candidates are prepared to obtain resources, including published curricula, for braille codes currently in use;

(VI) Candidates are prepared to use digital resources, hardware, and software to produce and access materials in accessible media including the conversion of print materials into braille, tactile, and/or digital formats;

(VII) Candidates are prepared to teach varied visual, nonvisual, and multi-sensory devices, programs, and software to launch, navigate, save, and retrieve information on devices and local systems and online;

(VIII) Candidates are prepared to select and use various visual, nonvisual, multisensory, and adaptive methods to teach technology skills by integrating students' assessed needs into instructional methods for teaching sensory efficiency skills, use of learning media, individual keyboarding, reading, writing, editing, and listening skills;

(IX) Candidates are prepared to plan and implement explicit instruction in assistive technology, including digital citizenship, that integrates students' ability to meet, manage, and advocate for their own needs;

(X) Candidates are prepared to integrate basic principles of accessibility to select, create, adapt, and format text, images, and media to promote usability and accessibility to meet the individual needs of students with visual impairments;

(XI) Candidates are prepared to provide systematic, explicit braille literacy instruction using embossed materials and digital technologies to meet individual needs;

(XII) Candidates are prepared to teach the use of the abacus, accessible calculator, tactile graphics, adapted equipment, and appropriate technology for mathematics and science instruction to meet individual needs;

(XIII) Candidates are prepared to teach students to access, interpret, and create increasingly complex printed and digital graphics in visual and/or tactile forms, including maps, charts, diagrams, and tables, based on individual needs;

- (XIV) Candidates are prepared to teach students to access, interpret, and create increasingly complex printed and digital graphics in visual and/or tactile forms, including maps, charts, diagrams, and tables, based on individual needs;
- (XV) Candidates are prepared to teach students with low vision to use optical, electronic, and non-optical devices to optimize visual efficiency and independently use dual learning media such as visual and auditory information, or auditory and tactile information;
- (XVI) Candidates are prepared to promote and reinforce sensorimotor and physical skills, including gross and fine motor skills, posture, balance, purposeful movement, and strength to meet individual needs unique to visual impairment;
- (XVII) Candidates are prepared to teach basic orientation, body image, spatial, temporal, positional, directional, and environmental concepts based on individual needs to promote motor skill development, orientation and mobility, and academic and social inclusion;
- (XVIII) Candidates are prepared to teach and reinforce human guide techniques to students with visual impairment, their peers, and others who interact with them;
- (XIX) Candidates are prepared to orient students to unfamiliar environments;
- (XX) Candidates are prepared to reinforce skills taught by orientation and mobility specialists to support the use of mobility devices and dog guides, for orientation and mobility;
- (XXI) Candidates are prepared to teach independent living and organization skills using alternate and nonvisual strategies;
- (XXII) Candidates are prepared to teach social communication skills related to appropriate body language, non-verbal communication, and social etiquette;
- (XXIII) Candidates are prepared to teach development and monitoring of relationships and friendships, and knowledge of self, including human sexuality;
- (XXIV) Candidates are prepared to teach skills usually acquired visually to develop and enhance participation in fitness/leisure/recreation activities, hobbies, and team and spectator sports to facilitate inclusion across settings;
- (XXV) Candidates are prepared to teach students to recognize and report behaviors that they may not perceive visually that may threaten their personal safety and well-being;
- (XXVI) Candidates are prepared to teach students their legal rights and responsibilities related to being a citizen with a visual impairment;
- (XXVII) Candidates are prepared to prepare students with progressive visual conditions to transition to alternative skills;
- (XXVIII) Candidates are prepared to collaboratively develop, implement, and continuously monitor communication goals, objectives, and systems for students with visual impairments and co-occurring disabilities;
- (XXIX) Candidates are prepared to teach students to recognize and report behaviors that they may not perceive visually that may threaten their personal safety and well-being;
- (XXX) Candidates are prepared to select, adapt, and use nonvisual/alternate instructional strategies to address co-occurring disabilities; and

(XXXI) Candidates are prepared to demonstrate an understanding of the knowledge of a range of cost effective technological devices from low to high tech for the instructional needs specific to visual impairment.

(vi) Professional Learning and Ethical Practice.

(I) Candidates are prepared to demonstrate understanding roles and responsibilities of teachers and support personnel in providing services for students with visual impairments in a range of settings;

(II) Candidates are prepared to demonstrate understanding of current knowledge of eligibility criteria for specialized services, funding, and materials sources specific to visual impairment;

(III) Candidates are prepared to demonstrate understanding of the historical, political, and sociocultural forces unique to the education of students with visual impairments;

(IV) Candidates are prepared to demonstrate awareness of the impact of nonverbal reactions and behaviors that are not accessible to students with visual impairments;

(V) Candidates are prepared to understand the role in determining and recommending appropriate type and amount of services based on evaluation of needs in all areas of the expanded core curriculum;

(VI) Candidates are prepared to demonstrate understanding of current knowledge of laws that impact and protect individuals with visual impairments;

(VII) Candidates are prepared to demonstrate understanding of the roles of all members of educational/vision care teams;

(VIII) Candidates are prepared to develop and maintain professional learning and practice by actively participating in professional organizations;

(IX) Candidates are prepared to articulate instructional and professional philosophies and ethical practices to address the specific needs of students with visual impairment across settings including the expanded core curriculum;

(X) Candidates are prepared to articulate and advocate for individual needs regarding placement, service delivery models, type and amount of service, and key components of services unique to visual impairment across ages and settings;

(XI) Candidates are prepared to advocate for reasonable nonvisual and alternate accommodations and modifications on standardized assessments;

(XII) Candidates are prepared to advocate for evidence-based educational policy related to visual impairment and low incidence disabilities;

(XIII) Candidates are prepared to articulate a plan for maintaining continuous professional development to remain current on all areas of the expanded core curriculum, with particular attention to assistive and instructional technology, most prevalent causes of and medical treatments for severe visual impairment, and co-occurring disabilities; and

(XIV) Candidates are prepared to evaluate and discern credible and scholarly sources of information about visual impairments, including knowledge of valid and reliable research techniques.

(vii) Collaboration.

(I) Candidates are prepared to demonstrate understanding of the role in conveying, to families and teams, information about the impact and implications of visual impairment on development and learning and access to the general and expanded core curriculum;

- (II) Candidates are prepared to demonstrate understanding of the role in working collaboratively with families and teams for referral for counseling, therapy, or other services to address the unique needs of visual impairment;
- (III) Candidates are prepared to demonstrate understanding of the role in increasing awareness of accessibility in physical and virtual environments and improving equitable access to information for families and the educational team;
- (IV) Candidates are prepared to demonstrate the importance of role models with visual impairment for a full range of individual learners across settings;
- (V) Candidates are prepared to collaborate with educational team and families on service delivery issues unique to visual impairment;
- (VI) Candidates are prepared to collaborate with technology and curriculum development staff on accessibility needs;
- (VII) Candidates are prepared to serve as liaison between medical care providers, families, and other members of the educational team;
- (VIII) Candidates are prepared to collaborate with vision care professionals to facilitate access to the general and expanded core curriculum;
- (IX) Candidates are prepared to collaborate with families and orientation and mobility specialists to reinforce orientation and mobility skills and other expanded core curriculum skills;
- (X) Candidates are prepared to collaborate with families and other team members to plan and implement transitions;
- (XI) Candidates are prepared to instruct and supervise paraeducators, and provide information to families and the educational team in nonvisual strategies that promote independence and autonomy;
- (XII) Candidates are prepared to instruct and supervise paraeducators and braille transcribers, and provide information to families and the educational team on the production of accessible media;
- (XIII) Candidates are prepared to collaborate with families and the educational team to promote literacy development; and
- (XIV) Candidates are prepared to collaborate with assistive technology professionals to identify and support customized tools to meet the accessibility needs of individuals with visual impairment.
- (b) The program shall prepare professionals who understand and apply principles of teaching reading and writing and who meet the following identified standards specified by the International Literacy Association, 2017. This requirement may be met in a separate three (3) semester-hour course.
1. Candidates use instructional approaches, materials, and an integrated, comprehensive, balanced curriculum to support student learning in reading and writing.
  2. Candidates use a variety of assessment tools and practices to plan and evaluate effective reading and writing instruction.
  3. Candidates create a literate environment that fosters reading and writing by integrating foundational knowledge, instructional practices, approaches and methods, curriculum materials, and the appropriate use of assessments.
- (c) The program shall require the completion of a content concentration in social science, science, math, language arts, or reading.

1. A content concentration shall consist of fifteen (15) semester hours of academic content that conforms with the requirements of the content concentrations for middle grades. (See GaPSC Rule [505-3-.19](#)).
2. A course taken to meet the requirements of (b) (above) may be counted toward the fifteen semester hours required for the reading concentration.
3. A course taken to meet the requirements of (b) (above) may be counted toward the fifteen semester hours required for the language arts concentration.

**Cite as** Ga. Comp. R. & Regs. R. 505-3-.60

**AUTHORITY:** O.C.G.A. § [20-2-200](#).

**HISTORY:** Original Rule entitled "Alternative Preparation for Educational Leadership Program" adopted. F. May 24, 2013; eff. June 15, 2013, as specified by the Agency.

**Repealed:** New Rule entitled "Special Education Visual Impairments Program" adopted. F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Apr. 4, 2023; eff. Apr. 15, 2023, as specified by the Agency.

### **505-3-.83 Autism Education Endorsement Program**

(1) **Purpose.** This rule states field-specific content standards for approving endorsement programs that prepare general and special education teachers to teach students P-12 with Autism. This rule supplements requirements in GaPSC Rule [505-3-.01](#), REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

(2) **In-Field Statement.** Completers of the Autism Endorsement have strengthened and enhanced competencies for teaching children with autism in the grade levels and/or subjects of their base certificates(s).

(3) **Requirements.**

(a) A GAPSC-approved educator preparation provider 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) 4.(ix) of GaPSC Rule [505-3-.01](#), REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

(b) 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 published by the Council for Exceptional Children (2020):

1. Engaging in Professional Learning and Practice within Ethical Guidelines: Candidates practice within ethical and legal guidelines; advocate for improved outcomes for individuals with exceptionalities and their families while considering their social, cultural, and linguistic diversity; and engage in ongoing self-reflection to design and implement professional learning activities.

(i) Candidates practice within ethical guidelines and legal policies and procedures;

(ii) Candidates advocate for improved outcomes for individuals with exceptionalities and their families while addressing the unique needs of those with diverse social, cultural, and linguistic backgrounds; and

(iii) Candidates design and implement professional learning activities based on ongoing analysis of student learning; self-reflection; and professional standards, research, and contemporary practices.

2. Understanding and Addressing Each Individual's Developmental and Learning Needs: Candidates use their understanding of human growth and development, the multiple influences on development, individual differences, diversity, including exceptionalities, and families and communities to plan and implement inclusive learning environments and experiences that provide individuals with exceptionalities high quality learning experiences reflective of each individual's strengths and needs.

(i) Candidates apply understanding of human growth and development to create developmentally appropriate and meaningful learning experiences that address individualized strengths and needs of students with exceptionalities; and

(ii) Candidates use their knowledge and understanding of diverse factors that influence development and learning, including differences related to families, languages, cultures, and communities, and individual differences, including exceptionalities, to plan and implement learning experiences and environments.

3. Demonstrating Subject Matter Content and Specialized Curricular Knowledge: Candidates apply their understanding of the academic subject matter content of the general curriculum and specialized curricula to inform their programmatic and instructional decisions for learners with exceptionalities.

(i) Candidates apply their understanding of academic subject matter content of the general curriculum to inform their programmatic and instructional decisions for individuals with exceptionalities; and

(ii) Candidates augment the general education curriculum to address skills and strategies that students with disabilities need to access the core curriculum and function successfully within a variety of contexts as well as the continuum of placement options to assure specially designed instruction is developed and implemented to achieve mastery of curricular standards and individualized goals and objectives.

4. Using Assessment to Understand the Learner and the Learning Environment for Data-based Decision Making: Candidates assess students' learning, behavior, and the classroom environment in order to evaluate and support classroom and school-based problem-solving systems of intervention and instruction. Candidates evaluate students to determine their strengths and needs, contribute to students' eligibility determination, communicate students' progress, inform short and long-term instructional planning, and make ongoing adjustments to instruction using technology as appropriate.

(i) Candidates collaboratively develop, select, administer, analyze, and interpret multiple measures of student learning, behavior, and the classroom environment to evaluate and support classroom and school-based systems of intervention for students with and without exceptionalities;

(ii) Candidates develop, select, administer, and interpret multiple, formal and informal, culturally and linguistically appropriate measures and procedures that are valid and reliable to contribute to eligibility determination for special education services; and

(iii) Candidates assess, collaboratively analyze, interpret, and communicate students' progress toward measurable outcomes using technology as appropriate, to inform both short- and long-term planning, and make ongoing adjustments to instruction.

5. Supporting Learning Using Effective Instruction: Candidates use knowledge of individuals' development, learning needs, and assessment data to inform decisions about effective instruction. Candidates use explicit instructional strategies and employ strategies to promote active engagement and increased motivation to individualize instruction to support each individual. Candidates use whole group instruction, flexible grouping, small group instruction, and individual instruction. Candidates teach individuals to use meta-/cognitive strategies to support and self-regulate learning.

(i) Candidates use findings from multiple assessments, including student self-assessment, that are responsive to cultural and linguistic diversity and specialized as needed, to identify what students know and are able to do. They

then interpret the assessment data to appropriately plan and guide instruction to meet rigorous academic and non-academic content and goals for each individual;

(ii) Candidates use effective strategies to promote active student engagement, increase student motivation, increase opportunities to respond, and enhance self-regulation of student learning;

(iii) Candidates use explicit, systematic instruction to teach content, strategies, and skills to make clear what a learner needs to do or think about while learning. Candidates use flexible grouping to support the use of instruction that is adapted to meet the needs of each individual and group; and

(iv) Candidates organize and manage focused, intensive small group instruction to meet the learning needs of each individual. Candidates plan and deliver specialized, individualized instruction that is used to meet the learning needs of each individual.

6. Supporting Social, Emotional, and Behavioral Growth: Candidates create and contribute to safe, respectful, and productive learning environments for individuals with exceptionalities through the use of effective routines and procedures and use a range of preventive and responsive practices to support social, emotional and educational well-being. They follow ethical and legal guidelines and work collaboratively with families and other professionals to conduct behavioral assessments for intervention and program development.

(i) Candidates use effective routines and procedures to create safe, caring, respectful, and productive learning environments for individuals with exceptionalities;

(ii) Candidates use a range of preventive and responsive practices documented as effective to support individuals' social, emotional, and educational well-being; and

(iii) Candidates systematically use data from a variety of sources to identify the purpose or function served by problem behavior to plan, implement, and evaluate behavioral interventions and social skills programs, including generalization to other environments.

7. Collaborating with Team Members: Candidates apply team processes and communication strategies to collaborate in a culturally responsive manner with families, paraprofessionals, and other professionals within the school, other educational settings, and the community to plan programs and access services for individuals with exceptionalities and their families.

(i) Candidates utilize communication, group facilitation, and problem-solving strategies in a culturally responsive manner to lead effective meetings and share expertise and knowledge to build team capacity and jointly address students' instructional and behavioral needs;

(ii) Candidates collaborate, communicate, and coordinate with families, paraprofessionals, and other professionals within the educational setting to assess, plan, and implement effective programs and services that promote progress toward measurable outcomes for individuals with and without exceptionalities and their families;

(iii) Candidates collaborate, communicate, and coordinate with professionals and agencies within the community to identify and access services, resources, and supports to meet the identified needs of individuals with exceptionalities and their families; and

(iv) Candidates work with and mentor paraprofessionals in the paraprofessionals' role of supporting the education of individuals with exceptionalities and their families.

8. Candidates are prepared to demonstrate understanding of the Specialty Standards for Special Education Autism published by the Council for Exception Children (2012).

(i) Learner Development and Individual Learning Differences

(I) The program shall prepare candidates who understand theories grounded in current research that prepare candidates to understand the etiology of Autism and how such theories can be used to develop differentiated learning and social opportunities.

(II) Candidates are prepared to understand and demonstrate the following for individuals with autism spectrum disorder:

I. Medical aspects and implications for learning;

II. Core and associated characteristics;

III. Co-existing conditions and ranges that exist at a higher rate than in the general population;

IV. Sensory challenges;

V. Speech, language, and communication challenges;

VI. Adaptive behavior needs; and

VII. Effect of self-regulation on learning and behavior.

(ii) Learning Environments and Instructional Planning and Strategies

(I) Candidates are prepared to use person-centered approaches and collaborate with families, other educators, and other professionals to plan and implement age and ability appropriate differentiated instruction that enhance accessibility to the general education curriculum; and

(II) Candidates are prepared to use person-centered approaches and collaborate with families, other educators, and other professionals to plan and implement differentiated instruction that enhances social inclusion, peer relationships, and social communication. (Note: person-centered planning involves instruction based on learner characteristics, interests, and ongoing assessment, and should be embedded into all learning environments.)

(iii) Assessment

(I) Candidates are prepared to demonstrate a basic understanding of frequently used procedures to identify eligibility criteria and monitor progress of learning and other goals of individuals with autism spectrum disorders;

(II) Candidates are prepared to describe how Functional Behavior Assessments and assessments of environmental conditions are used to develop databased interventions to support learning and communication of individuals with autism spectrum disorders;

(III) Candidates are prepared to identify research-based assessment tools and procedures to describe skills, areas of strength and interest that can be used to differentiate instruction to support learning and behavior;

(IV) Candidates are prepared to use preference assessment techniques to identify individual preferences that enhance learning;

(V) Candidates are prepared to collaborate with behavior specialists to conduct Functional Behavior Assessments that lead to the development of behavior support plans; and

(VI) Candidates are prepared to demonstrate culturally sensitive practices that include collaboration with families in assessment of students with autism spectrum disorders.

(iv) Professional Learning and Ethical Practice



(I) Candidates are prepared to understand definitions and issues related to the identification of individuals with autism spectrum disorders at different ages across the spectrum;

(II) Candidates are prepared to describe the history of autism spectrum disorder and how the history may impact the current understanding of autism and interventions/supports by parents, teachers, and other community members;

(III) Candidates are prepared to differentiate between research-based practices and pseudo-science, and can describe the importance of using effective practices based on research to those who may advocate for practices lacking empirical support;

(IV) Candidates are prepared to understand and can identify different perspectives held by individuals with developmental disabilities and autism spectrum disorder; and

(V) Candidates are prepared to understand and promote the concepts of self-determination, self-advocacy, and community and family support that impact the lives of individuals with autism spectrum disorder.

**Cite as** Ga. Comp. R. & Regs. R. 505-3-.83

**AUTHORITY:** O.C.G.A. § [20-2-200](#).

**HISTORY:** Original Rule entitled "History" adopted. F. Dec. 18, 1991; eff. Jan. 7, 1992.

**Repealed:** New Rule entitled "Mental Retardation" adopted. F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

**Amended:** F. June 21, 1996; eff. July 11, 1996.

**Amended:** F. Mar. 7, 2000; eff. Apr. 1, 2000, as specified by the Agency.

**Amended:** F. July 13, 2001; eff. August 5, 2001, as specified by the Agency.

**Amended:** F. Dec. 3, 2002; eff. Jan. 1, 2003, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Feb. 20, 2004; eff. Mar. 15, 2004, as specified by the Agency.

**Repealed:** Rule reserved. F. July 21, 2005; eff. August 15, 2005, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Sep. 22, 2011; eff. Oct. 15, 2011.

**Repealed:** New Rule entitled "Career Exploration (PECE) Endorsement Program" adopted. F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

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

**Adopted:** New Rule entitled "Autism Education Endorsement Program." F. May 25, 2016; eff. June 15, 2016, as specified by the Agency.

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

**Repealed:** New Rule of same title adopted. F. Apr. 4, 2023; eff. Apr. 15, 2023, as specified by the Agency.

### **505-3-.91 Intervention Specialist Endorsement Program**

(1) **Purpose.** This rule states field-specific content standards for approving programs that prepare teachers to teach in Georgia's early intervention and remedial intervention programs. This rule supplements requirements in GaPSC

Rule [505-3-.01](#), REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

(2) **In-Field Statement.** Completers of the Intervention Specialist Endorsement program are qualified to teach, in the grade levels and field(s) of their base certificates, students in early intervention and remedial intervention programs who are at risk of not reaching or maintaining academic grade level.

(3) **Requirements.**

(a) A valid, level 4 or higher Induction, Professional, Advanced Professional, or Lead Professional teaching certificate in Elementary Education (P-5), Special Education General Curriculum Elementary Education (P-5), Middle Grades Education (with a language arts and/or mathematics area of concentration), or Special Education General Curriculum (with a language arts and/or mathematics concentration) is required for program admission.

(b) 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. Education of Students Who are At-Risk. The program shall prepare candidates who:

(i) Plan and implement developmentally and individually appropriate curricula and instructional practices based on knowledge of individual children, the family, the community, curriculum goals and content, and effective instructional practices for at-risk learners;

(ii) Develop and implement curriculum that focuses on individual students' needs and interests, and takes into account culturally valued content and students' home experiences;

(iii) Develop and implement learning activities that correlate with the Georgia mandated content standards for students and with the content domains and the designated assessment measure(s) identified by Georgia as being the most proficient in demonstrating student understanding of mandated content standards;

(iv) Assess students' cognitive, social-emotional, communication, motor, adaptive, and aesthetic development using multiple valid and reliable assessments and the resulting data to appropriately differentiate instruction;

(v) Demonstrate understanding of the developmental consequences of stress and trauma, protective factors and resilience and the development of mental health, and the importance of supportive relationships;

(vi) Establish and maintain positive, collaborative relationships with families; and

(vii) Collaborate/consult with other professionals and with agencies in the larger community to support children's development, learning, and well-being.

**Cite as** Ga. Comp. R. & Regs. R. 505-3-.91

**AUTHORITY:** O.C.G.A. § [20-2-200](#).

**HISTORY:** Original Rule entitled "Intervention Specialist Endorsement Program" adopted. F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

**Amended:** 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 of same title adopted. F. Apr. 4, 2023; eff. Apr. 15, 2023, as specified by the Agency.

## **505-3-.98 Special Education Deaf Education Endorsement Program**

(1) **Purpose.** This rule states field-specific content standards for approving endorsement programs that prepare teachers to teach students who are deaf or hard of hearing in grades P-12. This rule supplements requirements in GaPSC Rule [505-3-.01](#), REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

(2) **In-Field Statement.** Completers of the Special Education Deaf Education Endorsement program are qualified to provide educational services for students with hearing impairments in grades P-12 and preschool students (ages three [3] to five [5]), subject to the following conditions:

(a) The educator may work collaboratively with a content area teacher of record in all content subjects.

(b) To serve as the teacher of record, the educator may teach only the content subjects of her/his base certificate field(s) and the Special Education academic content concentrations with designated cognitive levels identified on their certificate.

(3) **Requirements.**

(a) A GaPSC-approved educator preparation provider may seek state approval to offer this field as either a stand-alone endorsement program to candidates who hold a level four (4) or higher valid professional or induction certificate in any teaching field or in the service field of Speech and Language Pathology, or as an endorsement program embedded in a GaPSC-approved initial preparation Special Education or Special Education/Elementary Education (P-5) 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) 4. (ix) of GaPSC Rule [505-3-.01](#), REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

(b) 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 published by the Council for Exceptional Children (2020):

1. Engaging in Professional Learning and Practice within Ethical Guidelines: Candidates practice within ethical and legal guidelines; advocate for improved outcomes for individuals with exceptionalities and their families while considering their social, cultural, and linguistic diversity; and engage in ongoing self-reflection to design and implement professional learning activities.

(i) Candidates practice within ethical guidelines and legal policies and procedures;

(ii) Candidates advocate for improved outcomes for individuals with exceptionalities and their families while addressing the unique needs of those with diverse social, cultural, and linguistic backgrounds; and

(iii) Candidates design and implement professional learning activities based on ongoing analysis of student learning; self-reflection; and professional standards, research, and contemporary practices.

2. Understanding and Addressing Each Individual's Developmental and Learning Needs: Candidates use their understanding of human growth and development, the multiple influences on development, individual differences, diversity, including exceptionalities, and families and communities to plan and implement inclusive learning environments and experiences that provide individuals with exceptionalities high quality learning experiences reflective of each individual's strengths and needs.

(i) Candidates apply understanding of human growth and development to create developmentally appropriate and meaningful learning experiences that address individualized strengths and needs of students with exceptionalities; and

(ii) Candidates use their knowledge and understanding of diverse factors that influence development and learning, including differences related to families, languages, cultures, and communities, and individual differences, including exceptionalities, to plan and implement learning experiences and environments.

3. Demonstrating Subject Matter Content and Specialized Curricular Knowledge: Candidates apply their understanding of the academic subject matter content of the general curriculum and specialized curricula to inform their programmatic and instructional decisions for learners with exceptionalities.

(i) Candidates apply their understanding of academic subject matter content of the general curriculum to inform their programmatic and instructional decisions for individuals with exceptionalities; and

(ii) Candidates augment the general education curriculum to address skills and strategies that students with disabilities need to access the core curriculum and function successfully within a variety of contexts as well as the continuum of placement options to assure specially designed instruction is developed and implemented to achieve mastery of curricular standards and individualized goals and objectives.

4. Using Assessment to Understand the Learner and the Learning Environment for Databased Decision Making: Candidates assess students' learning, behavior, and the classroom environment in order to evaluate and support classroom and school-based problem-solving systems of intervention and instruction. Candidates evaluate students to determine their strengths and needs, contribute to students' eligibility determination, communicate students' progress, inform short and long-term instructional planning, and make ongoing adjustments to instruction using technology as appropriate.

(i) Candidates collaboratively develop, select, administer, analyze, and interpret multiple measures of student learning, behavior, and the classroom environment to evaluate and support classroom and school-based systems of intervention for students with and without exceptionalities;

(ii) Candidates develop, select, administer, and interpret multiple, formal and informal, culturally and linguistically appropriate measures and procedures that are valid and reliable to contribute to eligibility determination for special education services; and

(iii) Candidates assess, collaboratively analyze, interpret, and communicate students' progress toward measurable outcomes using technology as appropriate, to inform both short- and long-term planning, and make ongoing adjustments to instruction.

5. Supporting Learning Using Effective Instruction: Candidates use knowledge of individuals' development, learning needs, and assessment data to inform decisions about effective instruction. Candidates use explicit instructional strategies and employ strategies to promote active engagement and increased motivation to individualize instruction to support each individual. Candidates use whole group instruction, flexible grouping, small group instruction, and individual instruction. Candidates teach individuals to use meta-/cognitive strategies to support and self-regulate learning.

(i) Candidates use findings from multiple assessments, including student self-assessment, that are responsive to cultural and linguistic diversity and specialized as needed, to identify what students know and are able to do. They then interpret the assessment data to appropriately plan and guide instruction to meet rigorous academic and non-academic content and goals for each individual;

(ii) Candidates use effective strategies to promote active student engagement, increase student motivation, increase opportunities to respond, and enhance self-regulation of student learning;

(iii) Candidates use explicit, systematic instruction to teach content, strategies, and skills to make clear what a learner needs to do or think about while learning. Candidates use flexible grouping to support the use of instruction that is adapted to meet the needs of each individual and group; and

(iv) Candidates organize and manage focused, intensive small group instruction to meet the learning needs of each individual. Candidates plan and deliver specialized, individualized instruction that is used to meet the learning needs of each individual.

6. Supporting Social, Emotional, and Behavioral Growth: Candidates create and contribute to safe, respectful, and productive learning environments for individuals with exceptionalities through the use of effective routines and procedures and use a range of preventive and responsive practices to support social, emotional and educational well-being. They follow ethical and legal guidelines and work collaboratively with families and other professionals to conduct behavioral assessments for intervention and program development.

(i) Candidates use effective routines and procedures to create safe, caring, respectful, and productive learning environments for individuals with exceptionalities;

(ii) Candidates use a range of preventive and responsive practices documented as effective to support individuals' social, emotional, and educational well-being; and

(iii) Candidates systematically use data from a variety of sources to identify the purpose or function served by problem behavior to plan, implement, and evaluate behavioral interventions and social skills programs, including generalization to other environments.

7. Collaborating with Team Members: Candidates apply team processes and communication strategies to collaborate in a culturally responsive manner with families, paraprofessionals, and other professionals within the school, other educational settings, and the community to plan programs and access services for individuals with exceptionalities and their families.

(i) Candidates utilize communication, group facilitation, and problem-solving strategies in a culturally responsive manner to lead effective meetings and share expertise and knowledge to build team capacity and jointly address students' instructional and behavioral needs;

(ii) Candidates collaborate, communicate, and coordinate with families, paraprofessionals, and other professionals within the educational setting to assess, plan, and implement effective programs and services that promote progress toward measurable outcomes for individuals with and without exceptionalities and their families;

(iii) Candidates collaborate, communicate, and coordinate with professionals and agencies within the community to identify and access services, resources, and supports to meet the identified needs of individuals with exceptionalities and their families; and

(iv) Candidates work with and mentor paraprofessionals in the paraprofessionals' role of supporting the education of individuals with exceptionalities and their families.

8. Candidates are prepared to demonstrate understanding of the Specialty Standards for Deaf and Hard of Hearing (D/HH) published by the Council for Exception Children (2018):

(i) Learner Development and Individual Learning Differences.

(I) Candidates are prepared to demonstrate understanding of the effects of the interrelationship among age of identification, type and etiology, level of hearing, auditory development, and provision of services on the development of individuals who are D/HH;

(II) Candidates are prepared to demonstrate understanding of auditory development of individuals who are D/HH;

(III) Candidates are prepared to demonstrate understanding of visual and spoken languages and communication modes;

(IV) Candidates are prepared to demonstrate understanding of the impact of exceptionalities on the development of language and learning for individuals who are D/HH, including the ways in which exceptionalities may interact with varying hearing levels resulting in more complex needs;

(V) Candidates are prepared to demonstrate understanding of the importance of advocating for equal access to language and communication in the individual's preferred mode across all educational settings;

(VI) Candidates are prepared to incorporate current theories of spoken and signed language development of individuals who are D/HH and components of communication competence into programming and planning for students;

(VII) Candidates are prepared to develop individualized programming and instruction in light of various aspects of hearing status;

(VIII) Candidates are prepared to incorporate auditory development of individuals who are D/HH into programming and planning for students;

(IX) Candidates are prepared to implement evidence-based practices in early intervention services specifically related to overall development of children who are D/HH and family outcomes;

(X) Candidates are prepared to identify and support communication modes that provide equal access, based on the needs and preferences of individuals and their families;

(XI) Candidates are prepared to deliver individualized programming and planning informed by the presence of identified exceptionalities; and

(XII) Candidates are prepared to identify and support all Least Restricted Environment (LRE) options to facilitate Individualized Education Program (IEP) team decisions taking communication into account.

(ii) Learning Environments.

(I) Candidates are prepared to demonstrate understanding of the influence of educational placement, family communication, language, cultural identity, socioeconomic status, home and community environment, and child maltreatment on development and learning;

(II) Candidates are prepared to demonstrate the value of peers and role models who are D/HH on family perceptions, decision making, and student outcomes;

(III) Candidates are prepared to demonstrate factors impacting visual and/or auditory learning;

(IV) Candidates are prepared to promote ongoing opportunities for interactions between individuals who are D/HH and their families with peers and role models who are D/HH;

(V) Candidates are prepared to assist with routines related to assistive technology used by individuals who are D/HH to enhance access to the environment;

(VI) Candidates are prepared to design or modify a language-rich learning environment that maximizes opportunities for visual and/or auditory learning and meets developmental and learning needs; and

(VII) Candidates are prepared to structure the learning environments to encourage developmentally appropriate self-advocacy and self-determination skills.

(iii) Curricular Content Knowledge.

(I) Candidates are prepared to demonstrate understanding of the interrelationship between services and curricular sequencing and progressions;

(II) Candidates are prepared to integrate evidence based language and literacy instruction across all academic areas; and

(III) Candidates are prepared to differentiate and adapt curricula in response to diverse populations across multiple educational settings.

(iv) Assessment.

(I) Candidates are prepared to demonstrate understanding of the range of assessment types, from informal to standardized;

(II) Candidates are prepared to demonstrate understanding of the appropriate formative, summative, and diagnostic assessment of expanded core curriculum, auditory skills, visual language skills, self-advocacy, self determination, functional listening, self-care skills, and student safety;

(III) Candidates are prepared to demonstrate understanding of the relationship between assessment data, reporting, and programming and planning;

(IV) Candidates are prepared to utilize appropriate terminology and interpret results across assessments;

(V) Candidates are prepared to ensure equal access to communication and minimized biased assessment with regard to laws, policies, and ethical principles;

(VI) Candidates are prepared to use and interpret technically sound assessments for individuals with D/HH;

(VII) Candidates are prepared to administer appropriate formative, summative, and diagnostic assessments;

(VIII) Candidates are prepared to identify or develop appropriate specialized assessments that allow for alternative forms of expression, and select appropriate accommodations and modifications;

(IX) Candidates are prepared to collect and analyze a range of spoken, signed, written, or other language and communication samples; and

(X) Candidates are prepared to utilize assessment data to develop reports and to inform programming and planning.

(v) Instructional Planning and Strategies.

(I) Candidates are prepared to demonstrate language/modes of communication used by individuals who are D/HH;

(II) Candidates are prepared to demonstrate understanding of the strategies that promote curricular programming that is responsive to diverse populations across multiple educational settings;

(III) Candidates are prepared to tailor evidence-based instructional strategies and specialized technologies across a variety of service delivery models and instructional setting;

(IV) Candidates are prepared to coordinate and collaborate to ensure appropriate instruction and planning;

(V) Candidates are prepared to implement strategies for supporting audition;

(VI) Candidates are prepared to implement strategies for conserving vision and hearing;

(VII) Candidates are prepared to implement evidence-based strategies for developing language in individuals' preferred communication mode(s);

(VIII) Candidates are prepared to promote optimal access to communication to facilitate inclusive experiences;

(IX) Candidates are prepared to develop proficiency in the languages/modes of communication used by individuals who are D/HH;

(X) Candidates are prepared to promote literacy and content area reading and writing through the individual's preferred communication mode(s);

(XI) Candidates are prepared to apply first and second language teaching strategies;

(XII) Candidates are prepared to ensure use of visual tools, organizers, and current assistive technology that enhances communication access that support programming and planning across a variety of service delivery models and instructional settings; and

(XIII) Candidates are prepared to plan and implement transitions across service continua.

(vi) Professional Learning and Ethical Practice.

(I) Candidates are prepared to demonstrate understanding of laws, policies, and ethical principles guiding equal access to communication in individuals' preferred communication mode(s);

(II) Candidates are prepared to demonstrate understanding of the awareness of the educator's language competence in supporting individual outcomes;

(III) Candidates are prepared to demonstrate understanding of the sociocultural, historical, and political considerations unique to Deaf culture and the field of education of individuals who are D/HH;

(IV) Candidates are prepared to advocate, using impartial ethical practices, based on the needs of the individual or family;

(V) Candidates are prepared to apply ethical decision making related to optimal access to communication in individuals' preferred communication mode(s) for all programming and planning;

(VI) Candidates are prepared to increase educator's competence in the individual's preferred communication mode(s);

(VII) Candidates are prepared to advocate for and implement programming and planning to provide equal communication access to individuals across all educational settings; and

(VIII) Candidates are prepared to use historical foundations and research evidence to inform educational programming and planning;

(vii) Collaboration.

(I) Candidates are prepared to demonstrate understanding of the services, organizations, and networks that are relevant to individuals who are D/HH;

(II) Candidates are prepared to demonstrate understanding of the policies, procedures, and resources for universal newborn hearing screening and early intervention;

(III) Candidates are prepared to demonstrate understanding of the roles and responsibilities of support staff in programming and planning;

(IV) Candidates are prepared to demonstrate collaborative behaviors within the boundaries of the professionals' scope of practice;

(V) Candidates are prepared to interpret relevant data and statistics related to hearing levels and their potential impact on outcomes;

(VI) Candidates are prepared to participate in professional networks relevant to the education of individuals who are D/HH;



(VII) Candidates are prepared to provide families with information in an impartial manner to make informed choices regarding communication modes, philosophies, and educational options; and

(VIII) Candidates are prepared to prepare and assist team members to work with D/HH team members across a variety of service delivery models and instructional environments.

**Cite as** Ga. Comp. R. & Regs. R. 505-3-.98

**AUTHORITY:** O.C.G.A. § [20-2-200](#).

**HISTORY:** Original Rule entitled "Special Education Deaf Education Endorsement Program" adopted. F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

**Amended:** F. May 25, 2016; eff. June 15, 2016, as specified by the Agency.

**Amended:** 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 of same title adopted. F. Apr. 4, 2023; eff. Apr. 15, 2023, as specified by the Agency.

### **505-3-.99 Special Education Physical and Health Disabilities Endorsement Program**

(1) **Purpose.** This rule states field-specific content standards for approving programs that prepare teachers to provide instruction or instructional support to P-12 students who have physical or health-related disabilities for all or part of a student's general or special curriculum needs as indicated in the Individual Education Plan (IEP). This rule supplements requirements in GaPSC Rule [505-3-.01](#), REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

(2) **In-Field Statement.** Completers of the Special Education Physical and Health Disabilities Endorsement program are qualified to provide educational services for students with physical or health related disabilities in grades pre-school (P) through twelve (12) and for special education preschool students, aged three (3) to five (5), subject to the following conditions:

(a) The educator may work collaboratively with a content area teacher of record in all content subjects.

(b) To serve as the teacher of record, the educator may teach only the content subjects of her/his base certificate field(s) and the Special Education academic content concentrations with designated cognitive levels identified on their certificate.

(3) **Requirements.**

(a) A GaPSC-approved educator preparation provider 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) 4. (ix) of GaPSC Rule [505-3-.01](#), REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

(b) 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 published by the Council for Exceptional Children 2020:

1. Engaging in Professional Learning and Practice within Ethical Guidelines: Candidates practice within ethical and legal guidelines; advocate for improved outcomes for individuals with exceptionalities and their families while

considering their social, cultural, and linguistic diversity; and engage in ongoing self-reflection to design and implement professional learning activities.

(i) Candidates practice within ethical guidelines and legal policies and procedures;

(ii) Candidates advocate for improved outcomes for individuals with exceptionalities and their families while addressing the unique needs of those with diverse social, cultural, and linguistic backgrounds; and

(iii) Candidates design and implement professional learning activities based on ongoing analysis of student learning; self-reflection; and professional standards, research, and contemporary practices.

2. Understanding and Addressing Each Individual's Developmental and Learning Needs: Candidates use their understanding of human growth and development, the multiple influences on development, individual differences, diversity, including exceptionalities, and families and communities to plan and implement inclusive learning environments and experiences that provide individuals with exceptionalities high quality learning experiences reflective of each individual's strengths and needs.

(i) Candidates apply understanding of human growth and development to create developmentally appropriate and meaningful learning experiences that address individualized strengths and needs of students with exceptionalities; and

(ii) Candidates use their knowledge and understanding of diverse factors that influence development and learning, including differences related to families, languages, cultures, and communities, and individual differences, including exceptionalities, to plan and implement learning experiences and environments.

3. Demonstrating Subject Matter Content and Specialized Curricular Knowledge: Candidates apply their understanding of the academic subject matter content of the general curriculum and specialized curricula to inform their programmatic and instructional decisions for learners with exceptionalities.

(i) Candidates apply their understanding of academic subject matter content of the general curriculum to inform their programmatic and instructional decisions for individuals with exceptionalities; and

(ii) Candidates augment the general education curriculum to address skills and strategies that students with disabilities need to access the core curriculum and function successfully within a variety of contexts as well as the continuum of placement options to assure specially designed instruction is developed and implemented to achieve mastery of curricular standards and individualized goals and objectives.

4. Using Assessment to Understand the Learner and the Learning Environment for Data-based Decision Making: Candidates assess students' learning, behavior, and the classroom environment in order to evaluate and support classroom and school-based problem-solving systems of intervention and instruction. Candidates evaluate students to determine their strengths and needs, contribute to students' eligibility determination, communicate students' progress, inform short- and long-term instructional planning, and make ongoing adjustments to instruction using technology as appropriate.

(i) Candidates collaboratively develop, select, administer, analyze, and interpret multiple measures of student learning, behavior, and the classroom environment to evaluate and support classroom and school-based systems of intervention for students with and without exceptionalities;

(ii) Candidates develop, select, administer, and interpret multiple, formal and informal, culturally and linguistically appropriate measures and procedures that are valid and reliable to contribute to eligibility determination for special education services; and

(iii) Candidates assess, collaboratively analyze, interpret, and communicate students' progress toward measurable outcomes using technology as appropriate, to inform both short- and long-term planning, and make ongoing adjustments to instruction.

5. Supporting Learning Using Effective Instruction: Candidates use knowledge of individuals' development, learning needs, and assessment data to inform decisions about effective instruction. Candidates use explicit instructional strategies and employ strategies to promote active engagement and increased motivation to individualize instruction to support each individual. Candidates use whole group instruction, flexible grouping, small group instruction, and individual instruction. Candidates teach individuals to use meta-/cognitive strategies to support and self-regulate learning.

(i) Candidates use findings from multiple assessments, including student self-assessment, that are responsive to cultural and linguistic diversity and specialized as needed, to identify what students know and are able to do. They then interpret the assessment data to appropriately plan and guide instruction to meet rigorous academic and non-academic content and goals for each individual;

(ii) Candidates use effective strategies to promote active student engagement, increase student motivation, increase opportunities to respond, and enhance self-regulation of student learning;

(iii) Candidates use explicit, systematic instruction to teach content, strategies, and skills to make clear what a learner needs to do or think about while learning. Candidates use flexible grouping to support the use of instruction that is adapted to meet the needs of each individual and group; and

(iv) Candidates organize and manage focused, intensive small group instruction to meet the learning needs of each individual. Candidates plan and deliver specialized, individualized instruction that is used to meet the learning needs of each individual.

6. Supporting Social, Emotional, and Behavioral Growth: Candidates create and contribute to safe, respectful, and productive learning environments for individuals with exceptionalities through the use of effective routines and procedures and use a range of preventive and responsive practices to support social, emotional and educational well-being. They follow ethical and legal guidelines and work collaboratively with families and other professionals to conduct behavioral assessments for intervention and program development.

(i) Candidates use effective routines and procedures to create safe, caring, respectful, and productive learning environments for individuals with exceptionalities;

(ii) Candidates use a range of preventive and responsive practices documented as effective to support individuals' social, emotional, and educational well-being; and

(iii) Candidates systematically use data from a variety of sources to identify the purpose or function served by problem behavior to plan, implement, and evaluate behavioral interventions and social skills programs, including generalization to other environments.

7. Collaborating with Team Members: Candidates apply team processes and communication strategies to collaborate in a culturally responsive manner with families, paraprofessionals, and other professionals within the school, other educational settings, and the community to plan programs and access services for individuals with exceptionalities and their families.

(i) Candidates utilize communication, group facilitation, and problem-solving strategies in a culturally responsive manner to lead effective meetings and share expertise and knowledge to build team capacity and jointly address students' instructional and behavioral needs;

(ii) Candidates collaborate, communicate, and coordinate with families, paraprofessionals, and other professionals within the educational setting to assess, plan, and implement effective programs and services that promote progress toward measurable outcomes for individuals with and without exceptionalities and their families;

(iii) Candidates collaborate, communicate, and coordinate with professionals and agencies within the community to identify and access services, resources, and supports to meet the identified needs of individuals with exceptionalities and their families; and

(iv) Candidates work with and mentor paraprofessionals in the paraprofessionals' role of supporting the education of individuals with exceptionalities and their families.

8. Candidates are prepared to demonstrate understanding of the Specialty Standards for Special Education Physical and Health Disabilities published by the Council for Exception Children (2012):

(i) Candidates are prepared to demonstrate understanding of the implications of physical and health disabilities on development and learning;

(ii) Candidates are prepared to demonstrate understanding of the functional effects of the type and severity of physical and health disabilities on individual performance;

(iii) Candidates are prepared to demonstrate understanding of the psychosocial effects of physical and health disabilities;

(iv) Candidates are prepared to demonstrate understanding of the adaptations of educational environments to enhance the potential of individuals with physical and health disabilities;

(v) Candidates are prepared to demonstrate understanding of the barriers to accessibility by individuals with physical and health disabilities;

(vi) Candidates are prepared to use proper positioning techniques and equipment to promote participation in academic and social environments;

(vii) Candidates are prepared to demonstrate proper body mechanics to promote individual and teacher safety in transfer, lifting, positioning, and seating;

(viii) Candidates are prepared to demonstrate understanding of continuum of non-symbolic to symbolic forms of communication;

(ix) Candidates are prepared to demonstrate understanding of valid and reliable assessment instruments for individuals who have poor motor skills and for those who are nonverbal;

(x) Candidates are prepared to teach response modes to establish accuracy in the assessment of individuals with physical and health disabilities;

(xi) Candidates are prepared to demonstrate understanding of the adaptations and assistive technology necessary to accommodate the unique characteristics of individuals with physical and health disabilities;

(xii) Candidates are prepared to demonstrate understanding of the incorporation of augmentative and assistive communication into instruction and daily living activities;

(xiii) Candidates are prepared to use specialized instructional strategies for academic and functional tasks for individuals with physical and health disabilities;

(xiv) Candidates are prepared to use adaptations and assistive technology to provide access to and participation in the general education curriculum; and

(xv) Candidates are prepared to demonstrate techniques for teaching literacy skills to individuals who are nonverbal.

**Cite as** Ga. Comp. R. & Regs. R. 505-3-.99

**AUTHORITY:** O.C.G.A. § [20-2-200](#).

**HISTORY:** Original Rule entitled "Special Education Physical and Health Disabilities Endorsement Program" adopted. F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

**Amended:** F. May 25, 2016; eff. June 15, 2016, as specified by the Agency.

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

**Repealed:** New Rule of same title adopted. F. Apr. 4, 2023; eff. Apr. 15, 2023, as specified by the Agency.

### **505-3-.101 Special Education Transition Specialist Endorsement Program**

(1) **Purpose.** This rule states field-specific content standards for approving endorsement programs that prepare teachers to serve as transition specialists in grades 9-12. This rule supplements requirements in GaPSC Rule [505-3-.01](#), REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

(2) **In-Field Statement.** Completers of the Special Education Transition Specialist Endorsement Program are qualified to serve as a transition specialist in grades 9-12 who provides assistance in establishing post-school goals and objectives and facilitates the transition to work and community environments.

(3) **Requirements.**

(a) GaPSC-approved 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) 4. (ix) of GaPSC Rule [505-3-.01](#), REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

(b) 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 published by the Council for Exceptional Children (2020):

1. Engaging in Professional Learning and Practice within Ethical Guidelines: Candidates practice within ethical and legal guidelines; advocate for improved outcomes for individuals with exceptionalities and their families while considering their social, cultural, and linguistic diversity; and engage in ongoing self-reflection to design and implement professional learning activities.

(i) Candidates practice within ethical guidelines and legal policies and procedures;

(ii) Candidates advocate for improved outcomes for individuals with exceptionalities and their families while addressing the unique needs of those with diverse social, cultural, and linguistic backgrounds; and

(iii) Candidates design and implement professional learning activities based on ongoing analysis of student learning; self-reflection; and professional standards, research, and contemporary practices.

2. Understanding and Addressing Each Individual's Developmental and Learning Needs: Candidates use their understanding of human growth and development, the multiple influences on development, individual differences, diversity, including exceptionalities, and families and communities to plan and implement inclusive learning environments and experiences that provide individuals with exceptionalities high quality learning experiences reflective of each individual's strengths and needs.

(i) Candidates apply understanding of human growth and development to create developmentally appropriate and meaningful learning experiences that address individualized strengths and needs of students with exceptionalities; and

(ii) Candidates use their knowledge and understanding of diverse factors that influence development and learning, including differences related to families, languages, cultures, and communities, and individual differences, including exceptionalities, to plan and implement learning experiences and environments.

3. Demonstrating Subject Matter Content and Specialized Curricular Knowledge: Candidates apply their understanding of the academic subject matter content of the general curriculum and specialized curricula to inform their programmatic and instructional decisions for learners with exceptionalities.

(i) Candidates apply their understanding of academic subject matter content of the general curriculum to inform their programmatic and instructional decisions for individuals with exceptionalities; and

(ii) Candidates augment the general education curriculum to address skills and strategies that students with disabilities need to access the core curriculum and function successfully within a variety of contexts as well as the continuum of placement options to assure specially designed instruction is developed and implemented to achieve mastery of curricular standards and individualized goals and objectives.

4. Using Assessment to Understand the Learner and the Learning Environment for Databased Decision Making: Candidates assess students' learning, behavior, and the classroom environment in order to evaluate and support classroom and school-based problem-solving systems of intervention and instruction. Candidates evaluate students to determine their strengths and needs, contribute to students' eligibility determination, communicate students' progress, inform short- and long-term instructional planning, and make ongoing adjustments to instruction using technology as appropriate.

(i) Candidates collaboratively develop, select, administer, analyze, and interpret multiple measures of student learning, behavior, and the classroom environment to evaluate and support classroom and school-based systems of intervention for students with and without exceptionalities;

(ii) Candidates develop, select, administer, and interpret multiple, formal and informal, culturally and linguistically appropriate measures and procedures that are valid and reliable to contribute to eligibility determination for special education services; and

(iii) Candidates assess, collaboratively analyze, interpret, and communicate students' progress toward measurable outcomes using technology as appropriate, to inform both short- and long-term planning, and make ongoing adjustments to instruction.

5. Supporting Learning Using Effective Instruction: Candidates use knowledge of individuals' development, learning needs, and assessment data to inform decisions about effective instruction. Candidates use explicit instructional strategies and employ strategies to promote active engagement and increased motivation to individualize instruction to support each individual. Candidates use whole group instruction, flexible grouping, small group instruction, and individual instruction. Candidates teach individuals to use meta-/cognitive strategies to support and self-regulate learning.

(i) Candidates use findings from multiple assessments, including student self-assessment, that are responsive to cultural and linguistic diversity and specialized as needed, to identify what students know and are able to do. They then interpret the assessment data to appropriately plan and guide instruction to meet rigorous academic and non-academic content and goals for each individual;

(ii) Candidates use effective strategies to promote active student engagement, increase student motivation, increase opportunities to respond, and enhance self-regulation of student learning;

(iii) Candidates use explicit, systematic instruction to teach content, strategies, and skills to make clear what a learner needs to do or think about while learning. Candidates use flexible grouping to support the use of instruction that is adapted to meet the needs of each individual and group; and

(iv) Candidates organize and manage focused, intensive small group instruction to meet the learning needs of each individual. Candidates plan and deliver specialized, individualized instruction that is used to meet the learning needs of each individual.

6. Supporting Social, Emotional, and Behavioral Growth: Candidates create and contribute to safe, respectful, and productive learning environments for individuals with exceptionalities through the use of effective routines and procedures and use a range of preventive and responsive practices to support social, emotional and educational well-being. They follow ethical and legal guidelines and work collaboratively with families and other professionals to conduct behavioral assessments for intervention and program development.

(i) Candidates use effective routines and procedures to create safe, caring, respectful, and productive learning environments for individuals with exceptionalities;

(ii) Candidates use a range of preventive and responsive practices documented as effective to support individuals' social, emotional, and educational well-being; and

(iii) Candidates systematically use data from a variety of sources to identify the purpose or function served by problem behavior to plan, implement, and evaluate behavioral interventions and social skills programs, including generalization to other environments.

7. Collaborating with Team Members: Candidates apply team processes and communication strategies to collaborate in a culturally responsive manner with families, paraprofessionals, and other professionals within the school, other educational settings, and the community to plan programs and access services for individuals with exceptionalities and their families.

(i) Candidates utilize communication, group facilitation, and problem-solving strategies in a culturally responsive manner to lead effective meetings and share expertise and knowledge to build team capacity and jointly address students' instructional and behavioral needs;

(ii) Candidates collaborate, communicate, and coordinate with families, paraprofessionals, and other professionals within the educational setting to assess, plan, and implement effective programs and services that promote progress toward measurable outcomes for individuals with and without exceptionalities and their families;

(iii) Candidates collaborate, communicate, and coordinate with professionals and agencies within the community to identify and access services, resources, and supports to meet the identified needs of individuals with exceptionalities and their families; and

(iv) Candidates work with and mentor paraprofessionals in the paraprofessionals' role of supporting the education of individuals with exceptionalities and their families.

8. Candidates are prepared to demonstrate understanding of the Specialty Standards for Special Education Transition Specialist published by the Council for Exception Children (2012):

(i) Assessment.

(I) Candidates are prepared to demonstrate understanding of the procedures and requirements for referring individuals to community service agencies;

(II) Candidates are prepared to demonstrate understanding of the implications of individual characteristics with respect to post-school outcomes and support needs;

(III) Candidates are prepared to demonstrate understanding of the formal and informal approaches for identifying students' interests and preferences related to educational experiences and post school goals (postsecondary education, employment, independent living), including person-centered planning assessments;

(IV) Candidates are prepared to demonstrate understanding of how to match skills and interests of the individuals to skills and demands required by vocational and post-school settings;

(V) Candidates are prepared to interpret results of career and vocational assessment for individuals, families, and professionals;

(VI) Candidates are prepared to use a variety of formal and informal career, transition, and vocational assessment procedures;

(VII) Candidates are prepared to evaluate and modify transitional goals on an ongoing basis; and

(VIII) Candidates are prepared to assess and develop natural support systems to facilitate transition to post-school environments.

(ii) Programs, Services, and Outcomes.

(I) Candidates are prepared to demonstrate understanding of school and post-school services available to specific populations of individuals with exceptional learning needs;

(II) Candidates are prepared to demonstrate understanding of the methods for providing community-based education for individuals with exceptional learning needs;

(III) Candidates are prepared to demonstrate understanding of the methods for linking academic content to transition goals;

(IV) Candidates are prepared to demonstrate understanding of strategies for involving families and individuals with exceptional learning needs in transition planning and evaluation;

(V) Candidates are prepared to demonstrate understanding of job seeking and job retention skills identified by employers as essential for successful employment;

(VI) Candidates are prepared to demonstrate understanding of vocational education methods, models, and curricula;

(VII) Candidates are prepared to demonstrate understanding of the range of post-school options within specific outcome areas;

(VIII) Candidates are prepared to identify and facilitate modifications within work and community environments;

(IX) Candidates are prepared to arrange and evaluate instructional activities in relation to post-school goals;

(X) Candidates are prepared to identify outcomes and instructional options specific to the community and the individual; and

(XI) Candidates are prepared to use support systems to facilitate self-advocacy in transition planning.

(iii) Research and Inquiry.

(I) Candidates are prepared to understand theoretical and applied models of transitions; and

(II) Candidates are prepared to understand research on relationships between individual outcomes and transition practices.

(iv) Leadership and Policy.

(I) Candidates are prepared to demonstrate understanding of transitional related laws and policies; and



- (II) Candidates are prepared to demonstrate understanding of the history of national transition initiatives.
- (v) Professional Learning and Ethical Practice.
- (I) Candidates are prepared to demonstrate understanding of the scope and role of the transition specialist;
- (II) Candidates are prepared to demonstrate understanding of the scope and role of agency personnel related to transition;
- (III) Candidates are prepared to demonstrate awareness of organizations and publications relevant to the field of transition;
- (IV) Candidates are prepared to show positive regard for the capacity and operating constraints of community organizations involved in transition services;
- (V) Candidates are prepared to participate in activities of professional organizations in the field of transition;
- (VI) Candidates are prepared to ensure the inclusion on transition-related goals in the educational program plan; and
- (VII) Candidates are prepared to develop post-school goals and objectives, using interests and preferences of the individual.
- (vi) Collaboration.
- (I) Candidates are prepared to demonstrate awareness of methods to increase transition service delivery through interagency agreements and collaborative funding;
- (II) Candidates are prepared to demonstrate understanding of transition planning strategies that facilitate input from team members;
- (III) Candidates are prepared to design and use procedures to evaluate and improve transition education and services in collaboration with team members;
- (IV) Candidates are prepared to provide information to families about transition education, services, support networks, and post-school options;
- (V) Candidates are prepared to involve team members in establishing transition policy;
- (VI) Candidates are prepared to provide transition-focused technical assistance and professional development in collaboration with team members;
- (VII) Candidates are prepared to collaborate with transition focused agencies;
- (VIII) Candidates are prepared to develop interagency strategies to collect, share, and use student assessment data;
- (IX) Candidates are prepared to use strategies for resolving differences in collaborative relationships and interagency agreements;
- (X) Candidates are prepared to assist teachers to identify educational program planning team members; and
- (XI) Candidates are prepared to assure individual, family, and agency participation in transition planning and implementation.

**Cite as** Ga. Comp. R. & Regs. R. 505-3-.101

**AUTHORITY:** O.C.G.A. § [20-2-20](#).

**HISTORY:** Original Rule entitled "Special Education Transition Specialist Endorsement Program" adopted. F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

**Amended:** F. May 25, 2016; eff. June 15, 2016, as specified by the Agency.

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

**Repealed:** New Rule of same title adopted. F. Apr. 4, 2023; eff. Apr. 15, 2023, as specified by the Agency.

### **505-3-.102 Special Education Visual Impairment Endorsement Program**

(1) **Purpose.** This rule states field-specific content standards for approving endorsement programs that prepare teachers to teach students with visual impairments in grades P-12. This rule supplements requirements in GaPSC Rule [505-3-.01](#), REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

(2) **In-Field Statement.** Completers of the Special Education Visual Impairment Endorsement are qualified to work with visually impaired students in grades P-12 and special education pre-school students (ages 3-5) under the following conditions:

(a) The educator may work collaboratively with a content area teacher of record in all content subjects.

(b) To serve as a teacher of record, the educator may teach only the content subjects of the base certificate field(s) and the Special Education academic content concentration with designated cognitive levels identified on the certificate.

(3) **Requirements.**

(a) A GaPSC-approved educator preparation provider may seek state approval to offer this field as either a stand-alone endorsement program to candidates who hold Special Education P-12 certification or Special Education General Curriculum/Elementary Education (P-5) certification or as an endorsement program embedded in a GaPSC-approved initial preparation Special Education or Special Education/Elementary Education (P-5) 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) 4. (ix) of GaPSC Rule [505-3-.01](#), REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

(b) 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 published by the Council for Exceptional Children (2020):

1. Engaging in Professional Learning and Practice within Ethical Guidelines: Candidates practice within ethical and legal guidelines; advocate for improved outcomes for individuals with exceptionalities and their families while considering their social, cultural, and linguistic diversity; and engage in ongoing self-reflection to design and implement professional learning activities.

(i) Candidates practice within ethical guidelines and legal policies and procedures;

(ii) Candidates advocate for improved outcomes for individuals with exceptionalities and their families while addressing the unique needs of those with diverse social, cultural, and linguistic backgrounds; and

(iii) Candidates design and implement professional learning activities based on ongoing analysis of student learning; self-reflection; and professional standards, research, and contemporary practices.

2. Understanding and Addressing Each Individual's Developmental and Learning Needs: Candidates use their understanding of human growth and development, the multiple influences on development, individual differences, diversity, including exceptionalities, and families and communities to plan and implement inclusive learning environments and experiences that provide individuals with exceptionalities high quality learning experiences reflective of each individual's strengths and needs.

(i) Candidates apply understanding of human growth and development to create developmentally appropriate and meaningful learning experiences that address individualized strengths and needs of students with exceptionalities; and

(ii) Candidates use their knowledge and understanding of diverse factors that influence development and learning, including differences related to families, languages, cultures, and communities, and individual differences, including exceptionalities, to plan and implement learning experiences and environments.

3. Demonstrating Subject Matter Content and Specialized Curricular Knowledge: Candidates apply their understanding of the academic subject matter content of the general curriculum and specialized curricula to inform their programmatic and instructional decisions for learners with exceptionalities.

(i) Candidates apply their understanding of academic subject matter content of the general curriculum to inform their programmatic and instructional decisions for individuals with exceptionalities; and

(ii) Candidates augment the general education curriculum to address skills and strategies that students with disabilities need to access the core curriculum and function successfully within a variety of contexts as well as the continuum of placement options to assure specially designed instruction is developed and implemented to achieve mastery of curricular standards and individualized goals and objectives.

4. Using Assessment to Understand the Learner and the Learning Environment for Databased Decision Making: Candidates assess students' learning, behavior, and the classroom environment in order to evaluate and support classroom and school-based problem-solving systems of intervention and instruction. Candidates evaluate students to determine their strengths and needs, contribute to students' eligibility determination, communicate students' progress, inform short and long-term instructional planning, and make ongoing adjustments to instruction using technology as appropriate.

(i) Candidates collaboratively develop, select, administer, analyze, and interpret multiple measures of student learning, behavior, and the classroom environment to evaluate and support classroom and school-based systems of intervention for students with and without exceptionalities;

(ii) Candidates develop, select, administer, and interpret multiple, formal and informal, culturally and linguistically appropriate measures and procedures that are valid and reliable to contribute to eligibility determination for special education services; and

(iii) Candidates assess, collaboratively analyze, interpret, and communicate students' progress toward measurable outcomes using technology as appropriate, to inform both short- and long-term planning, and make ongoing adjustments to instruction.

5. Supporting Learning Using Effective Instruction: Candidates use knowledge of individuals' development, learning needs, and assessment data to inform decisions about effective instruction. Candidates use explicit instructional strategies and employ strategies to promote active engagement and increased motivation to individualize instruction to support each individual. Candidates use whole group instruction, flexible grouping, small group instruction, and individual instruction. Candidates teach individuals to use meta-/cognitive strategies to support and self-regulate learning.

(i) Candidates use findings from multiple assessments, including student self-assessment, that are responsive to cultural and linguistic diversity and specialized as needed, to identify what students know and are able to do. They then interpret the assessment data to appropriately plan and guide instruction to meet rigorous academic and non-academic content and goals for each individual;

(ii) Candidates use effective strategies to promote active student engagement, increase student motivation, increase opportunities to respond, and enhance self-regulation of student learning;

(iii) Candidates use explicit, systematic instruction to teach content, strategies, and skills to make clear what a learner needs to do or think about while learning. Candidates use flexible grouping to support the use of instruction that is adapted to meet the needs of each individual and group; and

(iv) Candidates organize and manage focused, intensive small group instruction to meet the learning needs of each individual. Candidates plan and deliver specialized, individualized instruction that is used to meet the learning needs of each individual.

6. Supporting Social, Emotional, and Behavioral Growth: Candidates create and contribute to safe, respectful, and productive learning environments for individuals with exceptionalities through the use of effective routines and procedures and use a range of preventive and responsive practices to support social, emotional and educational well-being. They follow ethical and legal guidelines and work collaboratively with families and other professionals to conduct behavioral assessments for intervention and program development.

(i) Candidates use effective routines and procedures to create safe, caring, respectful, and productive learning environments for individuals with exceptionalities;

(ii) Candidates use a range of preventive and responsive practices documented as effective to support individuals' social, emotional, and educational well-being; and

(iii) Candidates systematically use data from a variety of sources to identify the purpose or function served by problem behavior to plan, implement, and evaluate behavioral interventions and social skills programs, including generalization to other environments.

7. Collaborating with Team Members: Candidates apply team processes and communication strategies to collaborate in a culturally responsive manner with families, paraprofessionals, and other professionals within the school, other educational settings, and the community to plan programs and access services for individuals with exceptionalities and their families.

(i) Candidates utilize communication, group facilitation, and problem-solving strategies in a culturally responsive manner to lead effective meetings and share expertise and knowledge to build team capacity and jointly address students' instructional and behavioral needs;

(ii) Candidates collaborate, communicate, and coordinate with families, paraprofessionals, and other professionals within the educational setting to assess, plan, and implement effective programs and services that promote progress toward measurable outcomes for individuals with and without exceptionalities and their families;

(iii) Candidates collaborate, communicate, and coordinate with professionals and agencies within the community to identify and access services, resources, and supports to meet the identified needs of individuals with exceptionalities and their families; and

(iv) Candidates work with and mentor paraprofessionals in the paraprofessionals' role of supporting the education of individuals with exceptionalities and their families.

8. Candidates are prepared to demonstrate understanding of the Specialty Standards for Special Education Visual Impairment published by the Council for Exception Children (2012):

(i) Learner Development and Individual Learning Differences.

(I) Candidates are prepared to demonstrate understanding of the development of the human visual system and areas of the brain involved in processing visual images;

- (II) Candidates are prepared to demonstrate understanding of the most prevalent causes of severe, uncorrectable visual impairment in children and youth ages birth to 22;
- (III) Candidates are prepared to demonstrate understanding of terminology related to diseases and disorder of the human visual system, including cerebral/cortical visual impairment;
- (IV) Candidates are prepared to demonstrate understanding of implications of prevalent visual conditions;
- (V) Candidates are prepared to demonstrate understanding of sensory development and its impact on development and learning when vision is impaired;
- (VI) Candidates are prepared to demonstrate understanding of the impact and implications of sociocultural/psychosocial factors on social-emotional development;
- (VII) Candidates are prepared to accurately read, interpret, and summarize eye reports and serve as liaison to families and other members of the education team to individual services;
- (VIII) Candidates are prepared to select and develop assessment and teaching strategies, accommodations and modifications that address age, visual impairment, family values and priorities, visual prognosis, and other individual characteristics;
- (IX) Candidates are prepared to use nonvisual/alternate strategies to promote attachment, early communication/literacy, orientation and mobility, and independence to address the effects of visual impairment on families and the reciprocal impact on individuals' self-esteem; and
- (X) Candidates are prepared to select, adapt, and use nonvisual/alternate instructional strategies to address co-occurring disabilities and other individual characteristics.

(ii) Learning Environments.

- (I) Candidates are prepared to demonstrate understanding of physical and virtual environmental factors that impact the acquisition of spatial and positional concepts, access to and synthesis of data visualizations, and other concepts typically acquired through vision;
- (II) Candidates are prepared to identify and implement physical and virtual environmental accommodations and modifications to facilitate optimal sensory use and multisensory access to, and active participation in, individual and group activities in general and expanded core curriculum environments;
- (III) Candidates are prepared to collaborate with team members to design and implement environments that promote optimal sensory use, foundational orientation and mobility skills, independence, social engagement, and efficient storage of specialized materials;
- (IV) Candidates are prepared to identify unique issues specific to visual impairment for accessing digital multimedia and virtually built environments;
- (V) Candidates are prepared to use ergonomics and appropriate technology settings aligned with students' preferred learning media and low tech strategies to support ubiquitous computing to promote access to the general and expanded core curriculum;
- (VI) Candidates are prepared to facilitate incidental learning experiences to address nonvisual access to physical and virtual environments;
- (VII) Candidates are prepared to evaluate social skills and design behavior strategies for learners with visual impairments to maximize positive social engagement and interaction across environments;

(VIII) Candidates are prepared to teach developmentally appropriate human guide, self-familiarization with new environments, protective, and alignment techniques for independent travel to promote safety across environments;

(IX) Candidates are prepared to teach orientation skills using environmental features, self-advocacy for optimal environmental accommodations and modifications, including requesting and refusing assistance as needed; and

(X) Candidates are prepared to teach nonvisual and alternate strategies for promoting digital citizenship and secure online practices.

(iii) Curricular Content Knowledge.

(I) Candidates are prepared to demonstrate understanding of the relationship of individualized assessment, intervention planning/implementation, development of individualized education programs/individualized family service plans, progress monitoring, and placement specific to unique needs of students with visual impairment including cerebral/cortical visual impairment, and co-occurring disabilities;

(II) Candidates are prepared to demonstrate understanding of the advantages and disadvantages of a wide range of instructional and assistive technologies specific to visual impairment;

(III) Candidates are prepared to demonstrate proficiency in reading, writing, proofreading, and interlining alphabetic and fully contracted Unified English Braille;

(IV) Candidates are prepared to demonstrate basic proficiency in reading and writing braille for mathematic and scientific notation and in using the abacus;

(V) Candidates are prepared to produce braille with brailier, slate and stylus, computer (including use of braille translation software), and braille production methods;

(VI) Candidates are prepared to demonstrate basic proficiency in human guide, protective, alignment, and search techniques in orientation and mobility with developmentally appropriate modifications;

(VII) Candidates are prepared to identify specialized resources unique to visual impairment to address the specific communication needs of students with varied communication abilities, reading levels, and language proficiency;

(VIII) Candidates are prepared to develop, implement, and continuously monitor learning objectives and goals for optimizing sensory efficiency, developing concepts, and accessing the general and expanded core curriculum across settings; and

(IX) Candidates are prepared to identify and adapt general education and visual impairment specific curricula for instruction of literacy, other academic areas, and the expanded core curriculum.

(iv) Assessment.

(I) Candidates are prepared to demonstrate understanding of the challenges of assessing students with visual impairments, including cerebra/cortical visual impairment, and co-occurring disabilities;

(II) Candidates are prepared to demonstrate understanding of the options for specialized assessment materials and equipment for unique sensory needs;

(III) Candidates are prepared to demonstrate understanding of the role of specialized, individualized assessment data unique to visual impairment for pre-referral, referral, annual, and tri-annual processes;

(IV) Candidates are prepared to demonstrate understanding of the implications of short and long terms use of accommodations and modifications unique to students with visual impairments, including cerebral/cortical visual impairment, and co-occurring disabilities;

(V) Candidates are prepared to interpret medical reports and multiple sources of data, including background information and family history, to plan and implement nondiscriminatory assessments;

(VI) Candidates are prepared to use multiple sources of valid information/data, including data from formal/informal assessments to evaluate the effectiveness of intervention, instruction, specialized media, materials, equipment, and the physical environment;

(VII) Candidates are prepared to use valid assessment results and medical reports to determine eligibility for vision specific services, for students with and without specific visual diagnoses;

(VIII) Candidates are prepared to use valid assessment data and knowledge of the potential impact of visual impairment on psychosocial functioning to identify when referral for services is needed;

(IX) Candidates are prepared to adapt assessments when tests are not validated on individuals with visual impairments to determine baseline performance;

(X) Candidates are prepared to identify assessment items and measures that are biased and make recommendations for non-visual or alternate accommodations and modifications;

(XI) Candidates are prepared to collaborate with team members and families to plan and implement assessment and interpret assessment results on issues specific to visual impairment;

(XII) Candidates are prepared to conduct individualized functional vision, learning media, assistive technology and other expanded core curriculum-related assessments;

(XIII) Candidates are prepared to interpret and/or assess cognitive, motor, social, and language concepts unique to individuals with visual impairments;

(XIV) Candidates are prepared to use multiple sources of data to determine appropriate learning and literacy media (braille, print, or dual) and assistive technology;

(XV) Candidates are prepared to interpret assessment results to determine individual needs to support acquisition of skills in the general and expanded core curriculum;

(XVI) Candidates are prepared to advocate for reasonable nonvisual and alternate accommodations and modifications on standardized assessments;

(XVII) Candidates are prepared to address limitations of standard scores and non-standard data when communicating visual impairment specific assessment data to educational teams and families;

(XVIII) Candidates are prepared to assess accessibility needs of individuals who are visually impaired who are English learners or from diverse backgrounds; and

(XIX) Candidates are prepared to use results of clinical low vision evaluation, functional vision, learning media, and assistive technology assessments to identify optimal assistive technology.

(v) Instructional Planning and Strategies.

(I) Candidates are prepared to demonstrate the proper use and care of braille and braille production devices and technology equipment, including maintenance of devices and software updates;

(II) Candidates are prepared to demonstrate understanding of the importance of creating positive, productive learning environments that foster independence and student achievement, and that reduce the tendency of others to engender learned helplessness in learners with visual impairments; and

- (III) Candidates are prepared to demonstrate understanding of knowledge of evidence-based practices for teaching students with visual impairments, including cerebral/cortical visual impairment, and co-occurring disabilities.
- (IV) Candidates are prepared to develop, coordinate, and implement appropriate programs for infants and young children with visual impairment, including those with cerebral/cortical visual impairment and co-occurring disabilities, and their families;
- (V) Candidates are prepared to obtain resources, including published curricula, for braille codes currently in use;
- (VI) Candidates are prepared to use digital resources, hardware, and software to produce and access materials in accessible media including the conversion of print materials into braille, tactile, and/or digital formats;
- (VII) Candidates are prepared to teach varied visual, nonvisual, and multi-sensory devices, programs, and software to launch, navigate, save, and retrieve information on devices and local systems and online;
- (VIII) Candidates are prepared to select and use various visual, nonvisual, multisensory, and adaptive methods to teach technology skills by integrating students' assessed needs into instructional methods for teaching sensory efficiency skills, use of learning media, individual keyboarding, reading, writing, editing, and listening skills;
- (IX) Candidates are prepared to plan and implement explicit instruction in assistive technology, including digital citizenship, that integrates students' ability to meet, manage, and advocate for their own needs;
- (X) Candidates are prepared to integrate basic principles of accessibility to select, create, adapt, and format text, images, and media to promote usability and accessibility to meet the individual needs of students with visual impairments;
- (XI) Candidates are prepared to provide systematic, explicit braille literacy instruction using embossed materials and digital technologies to meet individual needs;
- (XII) Candidates are prepared to teach the use of the abacus, accessible calculator, tactile graphics, adapted equipment, and appropriate technology for mathematics and science instruction to meet individual needs;
- (XIII) Candidates are prepared to teach students to access, interpret, and create increasingly complex printed and digital graphics in visual and/or tactile forms, including maps, charts, diagrams, and tables, based on individual needs;
- (XIV) Candidates are prepared to teach students to access, interpret, and create increasingly complex printed and digital graphics in visual and/or tactile forms, including maps, charts, diagrams, and tables, based on individual needs;
- (XV) Candidates are prepared to teach students with low vision to use optical, electronic, and non-optical devices to optimize visual efficiency and independently use dual learning media such as visual and auditory information, or auditory and tactile information;
- (XVI) Candidates are prepared to promote and reinforce sensorimotor and physical skills, including gross and fine motor skills, posture, balance, purposeful movement, and strength to meet individual needs unique to visual impairment;
- (XVII) Candidates are prepared to teach basic orientation, body image, spatial, temporal, positional, directional, and environmental concepts based on individual needs to promote motor skill development, orientation and mobility, and academic and social inclusion;
- (XVIII) Candidates are prepared to teach and reinforce human guide techniques to students with visual impairment, their peers, and others who interact with them;
- (XIX) Candidates are prepared to orient students to unfamiliar environments;



(XX) Candidates are prepared to reinforce skills taught by orientation and mobility specialists to support the use of mobility devices and dog guides, for orientation and mobility;

(XXI) Candidates are prepared to teach independent living and organization skills using alternate and nonvisual strategies;

(XXII) Candidates are prepared to teach social communication skills related to appropriate body language, non-verbal communication, and social etiquette;

(XXIII) Candidates are prepared to teach development and monitoring of relationships and friendships, and knowledge of self, including human sexuality;

(XXIV) Candidates are prepared to teach skills usually acquired visually to develop and enhance participation in fitness/leisure/recreation activities, hobbies, and team and spectator sports to facilitate inclusion across settings;

(XXV) Candidates are prepared to teach students to recognize and report behaviors that they may not perceive visually that may threaten their personal safety and wellbeing;

(XXVI) Candidates are prepared to teach students their legal rights and responsibilities related to being a citizen with a visual impairment;

(XXVII) Candidates are prepared to prepare students with progressive visual conditions to transition to alternative skills;

(XXVIII) Candidates are prepared to collaboratively develop, implement, and continuously monitor communication goals, objectives, and systems for students with visual impairments and co-occurring disabilities;

(XXIX) Candidates are prepared to teach students to recognize and report behaviors that they may not perceive visually that may threaten their personal safety and wellbeing;

(XXX) Candidates are prepared to select, adapt, and use nonvisual/alternate instructional strategies to address co-occurring disabilities; and

(XXXI) Candidates are prepared to demonstrate an understanding of the knowledge of a range of cost effective technological devices from low to high tech for the instructional needs specific to visual impairment.

(vi) Professional Learning and Ethical Practice.

(I) Candidates are prepared to demonstrate understanding of roles and responsibilities of teachers and support personnel in providing services for students with visual impairments in a range of settings;

(II) Candidates are prepared to demonstrate understanding of current knowledge of eligibility criteria for specialized services, funding, and materials sources specific to visual impairment;

(III) Candidates are prepared to demonstrate understanding of the historical, political, and sociocultural forces unique to the education of students with visual impairments;

(IV) Candidates are prepared to demonstrate awareness of the impact of nonverbal reactions and behaviors that are not accessible to students with visual impairments;

(V) Candidates are prepared to understand the role in determining and recommending appropriate type and amount of services based on evaluation of needs in all areas of the expanded core curriculum;

(VI) Candidates are prepared to demonstrate understanding of current knowledge of laws that impact and protect individuals with visual impairments;

(VII) Candidates are prepared to demonstrate understanding of the roles of all members of educational/vision care teams;

(VIII) Candidates are prepared to develop and maintain professional learning and practice by actively participating in professional organizations;

(IX) Candidates are prepared to articulate instructional and professional philosophies and ethical practices to address the specific needs of students with visual impairment across settings including the expanded core curriculum;

(X) Candidates are prepared to articulate and advocate for individual needs regarding placement, service delivery models, type and amount of service, and key components of services unique to visual impairment across ages and settings;

(XI) Candidates are prepared to advocate for reasonable nonvisual and alternate accommodations and modifications on standardized assessments;

(XII) Candidates are prepared to advocate for evidence-based educational policy related to visual impairment and low incidence disabilities;

(XIII) Candidates are prepared to articulate a plan for maintaining continuous professional development to remain current on all areas of the expanded core curriculum, with particular attention to assistive and instructional technology, most prevalent causes of and medical treatments for severe visual impairment, and co-occurring disabilities; and

(XIV) Candidates are prepared to evaluate and discern credible and scholarly sources of information about visual impairments, including knowledge of valid and reliable research techniques.

(vii) Collaboration.

(I) Candidates are prepared to demonstrate understanding of the role in conveying, to families and teams, information about the impact and implications of visual impairment on development and learning and access to the general and expanded core curriculum;

(II) Candidates are prepared to demonstrate understanding of the role in working collaboratively with families and teams for referral for counseling, therapy, or other services to address the unique needs of visual impairment;

(III) Candidates are prepared to demonstrate understanding of the role in increasing awareness of accessibility in physical and virtual environments and improving equitable access to information for families and the educational team;

(IV) Candidates are prepared to demonstrate the importance of role models with visual impairment for a full range of individual learners across settings;

(V) Candidates are prepared to collaborate with educational team and families on service delivery issues unique to visual impairment;

(VI) Candidates are prepared to collaborate with technology and curriculum development staff on accessibility needs;

(VII) Candidates are prepared to serve as liaison between medical care providers, families, and other members of the educational team;

(VIII) Candidates are prepared to collaborate with vision care professionals to facilitate access to the general and expanded core curriculum;

(IX) Candidates are prepared to collaborate with families and orientation and mobility specialists to reinforce orientation and mobility skills and other expanded core curriculum skills;

(X) Candidates are prepared to collaborate with families and other team members to plan and implement transitions;

(XI) Candidates are prepared to instruct and supervise paraeducators, and provide information to families and the educational team in nonvisual strategies that promote independence and autonomy;

(XII) Candidates are prepared to instruct and supervise paraeducators and braille transcribers, and provide information to families and the educational team on the production of accessible media;

(XIII) Candidates are prepared to collaborate with families and the educational team to promote literacy development; and

(XIV) Candidates are prepared to collaborate with assistive technology professionals to identify and support customized tools to meet the accessibility needs of individuals with visual impairment.

**Cite as** Ga. Comp. R. & Regs. R. 505-3-.102

**AUTHORITY:** O.C.G.A. § [20-2-200](#).

**HISTORY:** Original Rule entitled "Special Education Visual Impairment Endorsement Program" adopted. F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

**Amended:** F. May 26, 2015; eff. June 15, 2015, as specified by the Agency.

**Amended:** F. May 25, 2016; eff. June 15, 2016, as specified by the Agency.

**Amended:** 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 of same title adopted. F. Apr. 4, 2023; eff. Apr. 15, 2023, as specified by the Agency.

### **505-3-.113 Financial Literacy Endorsement Program**

(1) **Purpose.** This rule states field-specific content standards for approving programs that prepare individuals to teach financial literacy in grades 6-12 and supplements requirements in GaPSC Rule [505-3-.01](#), REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

(2) **Requirements.**

(a) A GaPSC-approved educator preparation provider 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 6-12 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) 4. (ix) of GaPSC Rule [505-3-.01](#), REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

(b) To receive approval, a GaPSC-approved educator preparation provider shall offer a preparation program as described in program planning forms, catalogs, and syllabi, based on the following standards adapted from the Voluntary National Content Standards in Economics (2021) and Personal Finance Standards (2021) from the Council for Economic Education.

1. Fundamentals of Economic Decision Making.

(i) The program shall prepare candidates to analyze how scarcity affects the choices of individual, businesses, and governments as indicated by the following:

(I) The program shall prepare candidates who can explain that scarcity is a basic, permanent condition that exists because unlimited wants exceed limited productive resources;

(II) The program shall prepare candidates who can compare and contrast strategies for allocating scarce resources such as by price, majority rule, contests, force, sharing, lottery, authority, first-come-first-served, and personal characteristics;

(III) The program shall prepare candidates who can define and give examples of productive resources (i.e., factors of production): natural resources (i.e., land), human resources (i.e., labor and human capital), physical capital and entrepreneurship; and

(IV) The program shall prepare candidates who can apply the concept of opportunity cost (the forgone next best alternative) to personal choices, as well as business and government decisions.

(ii) The program shall prepare candidates to provide examples of how rational decision-making entails comparing the marginal benefits and the marginal costs of an action as indicated by the following:

(I) The program shall prepare candidates who can explain that rational decisions occur when the marginal benefits of an action equal or exceed the marginal costs; and

(II) The program shall prepare candidates who can explain that individuals, businesses, and governments respond to positive and negative incentives in predictable ways.

(iii) The program shall prepare candidates who analyze how economic systems influence the choices of individuals, businesses, and governments as indicated by the following:

(I) The program shall prepare candidates who can analyze how command, market and mixed economic systems answer the three basic economic questions (what to produce, how to produce, and for whom to produce) to prioritize various social and economic goals such as freedom, security, equity, growth, efficiency, price stability, full employment, and sustainability; and

(II) The program shall prepare candidates who can compare the roles of government in different economic systems with regards to providing public goods and services, redistributing income, protecting property rights, resolving market failures, regulation, and providing consumer protections.

(iv) The program shall prepare candidates who analyze factors that influence the standard of living of individuals and nations as indicated by the following:

(I) The program shall prepare candidates who can explain how investments in human capital (e.g., education, job training, and healthcare) can lead to a higher standard of living;

(II) The program shall prepare candidates who can explain how investment in equipment and technology can lead to economic growth;

(III) The program shall prepare candidates who can explain how individuals, businesses, and governments benefit from specialization and voluntary, non-fraudulent trade; and

(IV) The program shall prepare candidates who can illustrate economic growth using a production possibilities curve.

## 2. Personal Finance.

(i) The program shall prepare candidates who analyze major life decisions using economics-based decision-making skills as indicated by the following:

(I) The program shall prepare candidates who can apply a rational decision-making model to evaluate the costs and benefits of post-high school life choices (i.e., college, technical school, military enlistment, workforce participation, or other option);

(II) The program shall prepare candidates who can evaluate costs and benefits of various ways to pay for post-high school life including scholarships, the HOPE scholarship, employment, work-study programs, loans, grants, savings, prior investments, and other options;

(III) The program shall prepare candidates who can identify necessary documents needed to complete forms like the FAFSA or scholarship applications;

(IV) The program shall prepare candidates who can apply a rational decision-making model to evaluate other major life choices like employment opportunities, renting a home vs. buying, selecting a mortgage, and buying a car; and

(V) The program shall prepare candidates who can describe how individual financial decisions can help create generational wealth.

(ii) The program shall prepare candidates who analyze income as a scarce resource that can be allocated effectively through budgeting as indicated by the following:

(I) The program shall prepare candidates who can compare different types of income including hourly wages, salary, tips, independent contractor services (Form 1099), dividends, and capital gains;

(II) The program shall prepare candidates who can review and complete a sample federal individual income tax form 1040;

(III) The program shall prepare candidates who can describe the basic components of a paystub including gross pay, net pay, and common deductions (i.e., federal and state income tax, Federal Insurance Contributions Act (FICA which includes Social Security and Medicare), and elective deductions like 401K, insurance and tax-deferred savings);

(IV) The program shall prepare candidates who can analyze the basic components of a personal budget including income, expenses (fixed and variable), and the importance of short-term and long-term savings;

(V) The program shall prepare candidates who can explain how to reconcile a checking account, either online or on paper, including how to account for transactions that have not been posted (i.e., checks, weekend debit card transactions, or monthly auto-pay transactions) and how this helps avoid overdraft fees; and

(VI) Describe how to determine a person's net worth.

(iii) The program shall prepare candidates who explain how the financial system channels funds from savers to investors as indicated by the following:

(I) The program shall prepare candidates who can explain the roles/functions of money as a medium of exchange, store of value, and unit of account/standard of value;

(II) The program shall prepare candidates who can compare services offered by different financial institutions, including banks, credit unions, payday lenders, and title pawn lenders;

(III) The program shall prepare candidates who can compare and contrast cash, debit cards, credit cards, prepaid cards and mobile payment apps in terms of how they work, acceptability, and the costs and benefits associated with each;

(IV) The program shall prepare candidates who can evaluate the risk and return of a variety of savings and investment options, including: savings accounts, certificates of deposit, retirement accounts (i.e., Roth IRA, 401K, 403b), stocks, bonds, 529 accounts, and mutual funds and explain the importance of diversification when investing; and

(V) The program shall prepare candidates who can describe the role of speculative investments (i.e., cryptocurrency and historical examples like buying on margin in the 1920's).

(iv) The program shall prepare candidates who can explain how interest rates affect various consumer decisions as indicated by the following:

(I) The program shall prepare candidates who can compare interest rates on loans and credit cards from different institutions including banks, credit unions, pay-day loan facilities, and title-pawn companies;

(II) The program shall prepare candidates who can define annual percentage rate and describe how different interest rates can affect monthly payments on loans;

(III) The program shall prepare candidates who can use an online amortization tool to show how payments on a fixed loan like a mortgage are applied to interest and principal;

(IV) The program shall prepare candidates who can explain the difference between simple and compound interest and the difference between fixed and variable interest; and

(V) Define nominal and real returns and explain how inflation affects interest-earning savings and investment accounts.

(v) The program shall prepare candidates who explain can how changes in taxation can have an impact on an individual's spending and saving choices as indicated by the following:

(I) The program shall prepare candidates who can describe income, sales, property, capital gains, and estate taxes in the U.S.; and

(II) The program shall prepare candidates who can describe the difference between progressive, regressive, and proportional taxes.

(vi) The program shall prepare candidates who can evaluate the costs and benefits of using credit as indicated by the following:

(I) The program shall prepare candidates who can differentiate between and explain how to access one's credit report and credit score;

(II) The program shall prepare candidates who can describe the basic components of a credit score including payment history, debt to income ratio, amount owed, length of credit history, types of credit used, amount of available credit, and recent credit applications;

(III) The program shall prepare candidates who can analyze and evaluate a sample loan application for credit worthiness and the ability to receive favorable interest rates;

(IV) The program shall prepare candidates who can explain the difference between revolving credit and installment credit; and

(V) The program shall prepare candidates who can explain causes of personal bankruptcy and describe consequences of declaring bankruptcy.

(vii) The program shall prepare candidates who can analyze how insurance and other risk-management strategies protect against financial loss as indicated by the following:

- (I) The program shall prepare candidates who can explain why people buy insurance;
  - (II) The program shall prepare candidates who can describe various types of insurance such as automobile, health, life (whole and term), disability, renters, flood and property;
  - (III) The program shall prepare candidates who can explain the costs and benefits associated with different types of insurance, including deductibles, premiums, coverage limits shared liability, and asset protection; and
  - (IV) The program shall prepare candidates who can define insurability and explain why insurance rates can vary.
- (viii) The program shall prepare candidates who can describe how the earnings of workers are determined in the marketplace as indicated by the following:
- (I) The program shall prepare candidates who can identify skills that are required to be successful in the workplace, including positive work ethic, punctuality, time management, teamwork, and communication skills;
  - (II) The program shall prepare candidates who can describe the impact a person's social media footprint can have on their career and finances; and
  - (III) The program shall prepare candidates who can evaluate job and career options and explain the significance of investment in education, training, and skill development as it relates to future earnings.
- (ix) The program shall prepare candidates who can explain ways consumers are protected by rules and regulations as indicated by the following:
- (I) The program shall prepare candidates who can describe how government agencies offer protection in banking, investments, borrowing, and buying goods and services;
  - (II) The program shall prepare candidates who can compare different methods for lodging consumer complaints (e.g., Better Business Bureau, online methods, and direct contact with business); and
  - (III) The program shall prepare candidates who can explain the primary purpose of important consumer legislation (i.e., the Truth in Lending Act, Fair Debt Collection Practices Act, Fair Credit Reporting Act, the Equal Housing Act, and the Dodd-Frank Act).
- (x) The program shall prepare candidates who can explain sources of and protection against identity theft as indicated by the following:
- (I) The program shall prepare candidates who can describe common ways identity theft happens including dumpster diving, skimming, phishing, stealing, and data breaches;
  - (II) The program shall prepare candidates who can describe ways to protect yourself from identity theft including shredding important documents, not opening attachments to unknown emails, not revealing personal information over the phone or email, using secure networks, regularly monitoring your credit report, changing passwords on accounts, and carefully managing social media;
  - (III) The program shall prepare candidates who can describe steps that should be taken if a person is the victim of identity theft including getting replacement credit cards, freezing credit histories, alerting appropriate officials, and changing passwords; and
  - (IV) The program shall prepare candidates who can describe the basic characteristics of investment scams such as Ponzi schemes, pump and dumps, and "advance fee" scams and how to avoid them.

### 3. Microeconomics.

(i) The program shall prepare candidates who can describe how households and businesses are interdependent and interact through flows of goods, services, resources, and money as indicated by the following:

(I) The program shall prepare candidates who can explain, using a circular flow diagram, the real flow of goods and services, resources, and money through the product market and the resource (factor) market.

(ii) The program shall prepare candidates who can explain how the law of demand, the law of supply, and prices work to determine production and distribution in a market economy as indicated by the following:

(I) The program shall prepare candidates who can define the law of supply and the law of demand;

(II) The program shall prepare candidates who can describe various determinants (shifters) of supply and demand and illustrate on a graph how they can change equilibrium price and quantity; and

(III) The program shall prepare candidates who can explain and illustrate on a graph how prices set too high (e.g., price floors) create surpluses, and prices set too low (e.g., price ceilings) create shortages.

(iii) The program shall prepare candidates who can explain the organization and role of business and analyze the four types of market structures in the U.S. economy as indicated by the following:

(I) The program shall prepare candidates who can compare and contrast three forms of business organization—sole proprietorship, partnership, and corporation with regards to number of owners, liability, lifespan, decision-making, and taxation; and

(II) The program shall prepare candidates who can identify the basic characteristics of monopoly, oligopoly, monopolistic competition, and pure (perfect) competition with regards to number of sellers, barriers to entry, price control, and product differentiation.

#### 4. Macroeconomics.

(i) The program shall prepare candidates who can explain the methods by which economic activity is measured as indicated by the following:

(I) The program shall prepare candidates who can describe key economic outcomes and how they are measured including economic growth using Gross Domestic Product (GDP) and real GDP; price stability using the Consumer Price Index (CPI); and full employment using the unemployment rate;

(II) The program shall prepare candidates who can explain the differences between seasonal, structural, cyclical, and frictional unemployment; and

(III) The program shall prepare candidates who can describe the stages of the business cycle and its relation to economic measurement, including: peak, contraction, trough, recovery/expansion as well as recession.

(ii) The program shall prepare candidates who can explain the role and functions of the Federal Reserve System as indicated by the following:

(I) The program shall prepare candidates who can describe the organization of the Federal Reserve System (12 Districts, Federal Open Market Committee [FOMC], and Board of Governors);

(II) The program shall prepare candidates who can describe the Federal Reserve Bank's roles in payment processing, bank supervision, and monetary policy including the dual mandate of price stability and full employment; and

(III) The program shall prepare candidates who can describe how the Federal Reserve uses various tools of monetary policy to target the federal funds rate and how this rate influences other interest rates in the economy.



(iii) The program shall prepare candidates who can analyze how the government uses fiscal policy and its effects on national debt as indicated by the following:

(I) The program shall prepare candidates who can explain the effect on the economy of the government's taxing and spending decisions in promoting price stability, full employment, and economic growth; and

(II) The program shall prepare candidates who can explain how government budget deficits or surpluses impact national debt.

#### 5. International.

(i) The program shall prepare candidates who can explain the benefits of international trade and the role of trade barriers as indicated by the following:

(I) The program shall prepare candidates who can explain how nations benefit when they specialize in producing goods and services in which they have a comparative advantage;

(II) The program shall prepare candidates who can explain how trade barriers create costs and benefits to consumers and producers over time; and

(III) The program shall prepare candidates who can analyze Georgia's role in the international economy (i.e., the ports of Savannah and Brunswick, the Northeast inland port, the presence of multinational corporations in the state, and the impact of trade on the state's economy).

(ii) The program shall prepare candidates who can analyze how changes in exchange rates can have an impact on groups in the United States and in other countries as indicated by the following:

(I) The program shall prepare candidates who can describe factors that cause changes in exchange rates; and

(II) Explain how appreciation and depreciation of currency affects net exports and benefits some groups and hurts others.

**Cite as** Ga. Comp. R. & Regs. R. 505-3-.113

**AUTHORITY:** O.C.G.A. § [20-2-200](#).

**HISTORY:** Original Rule entitled "Financial Literacy Endorsement Program" adopted. F. Apr. 4, 2023; eff. Apr. 15, 2023, as specified by the Agency.

# **Department 511. RULES OF GEORGIA DEPARTMENT OF PUBLIC HEALTH**

## **Chapter 511-6. FOOD AND LODGING ESTABLISHMENTS**

### **Subject 511-6-1. FOOD SERVICE**

#### **511-6-1-.03 Management and Personnel**

(1) Demonstration of Knowledge. Based on the risk of foodborne illness inherent to the food service operation, during inspections and upon request, the person in charge shall demonstrate to the Health Authority knowledge of foodborne disease prevention, application of the Hazard Analysis Critical Control Point principles, and the requirements of this Chapter. The person in charge shall demonstrate this knowledge in one of the following ways:

(a) Compliance with Chapter. Complying with this Chapter by having no violations of Priority Items during the current inspection;<sup>Pf</sup>

(b) Certified Food Service Manager. Being a certified food service manager who has shown proficiency of required information through passing a test that is part of an accredited program;<sup>Pf</sup> or

(c) Correct Answers to Food Safety Questions. Responding correctly to the inspector's questions as they relate to the specific food operation. The areas of knowledge include:

1. Describing the relationship between the prevention of foodborne disease and the personal hygiene of a food employee;<sup>Pf</sup>

2. Explaining the responsibility of the person in charge for preventing the transmission of foodborne disease by a food employee who has a disease or medical condition that may cause foodborne disease;<sup>Pf</sup>

3. Describing the symptoms associated with the diseases that are transmissible through food;<sup>Pf</sup>

4. Explaining the significance of the relationship between maintaining the time and temperature of time/temperature control for safety food and the prevention of foodborne illness;<sup>Pf</sup>

5. Explaining the hazards involved in the consumption of raw or undercooked meat, poultry, eggs, and fish;<sup>Pf</sup>

6. Stating the required food temperatures and times for safe cooking of time/temperature control for safety food including meat, poultry, eggs, and fish;<sup>Pf</sup>

7. Stating the required temperatures and times for the safe refrigerated storage, hot holding, cooling, and reheating of time/temperature control for safety food;<sup>Pf</sup>

8. Describing the relationship between the prevention of foodborne illness and the management and control of the following:

(i) Cross contamination;<sup>Pf</sup>

(ii) Hand contact with ready-to-eat foods;<sup>Pf</sup>

(iii) Handwashing;<sup>Pf</sup> and

(iv) Maintaining the food service establishment in a clean condition and in good repair;<sup>Pf</sup>

9. Describing foods identified as major food allergens and the symptoms major food allergen could cause in a sensitive individual who has an allergic reaction;<sup>Pf</sup>
10. Explaining the relationship between food safety and providing equipment that is:
- (i) Sufficient in number and capacity;<sup>Pf</sup> and
  - (ii) Properly designed, constructed, located, installed, operated, maintained, and cleaned;<sup>Pf</sup>
11. Explaining correct procedures for cleaning and sanitizing utensils and food-contact surfaces of equipment;<sup>Pf</sup>
12. Identifying the source of water used and measures taken to ensure that it remains protected from contamination such as providing protection from backflow and precluding the creation of cross connections;<sup>Pf</sup>
13. Identifying poisonous or toxic materials in the food service establishment and the procedures necessary to ensure that they are safely stored, dispensed, used, and disposed of according to law;<sup>Pf</sup>
14. Identifying critical control points in the operation from purchasing through sale or service that when not controlled may contribute to the transmission of foodborne illness and explaining steps taken to ensure that the points are controlled in accordance with the requirements of this Chapter;<sup>Pf</sup>
15. Explaining the details of how the person in charge and food employees comply with the HACCP plan if a plan is required by the law, this Chapter, or an agreement between the Health Authority and the food service establishment;<sup>Pf</sup>
16. Explaining the responsibilities, rights, and authorities assigned by this Chapter to the:
- (i) Food employee;<sup>Pf</sup>
  - (ii) Conditional employee;<sup>Pf</sup>
  - (iii) Person in charge;<sup>Pf</sup>
  - (iv) Health Authority;<sup>Pf</sup> and
17. Explaining how the person in charge, food employees, and conditional employees comply with reporting responsibilities and exclusion or restriction of food employees.<sup>Pf</sup>
- (2) Responsibilities of the Person in Charge (PIC). There must be a person in charge on the premises of the food service establishment at all times. The person in charge shall ensure compliance with the following:
- (a) Operations Not Conducted in Private Home. Food service establishment operations are not conducted in a private home or in a room used as living or sleeping quarters;<sup>Pf</sup>
  - (b) Authorized Personnel Access. Persons unnecessary to the food service establishment operation are not allowed in the food preparation, food storage, or warewashing areas, except that brief visits and tours may be authorized by the person in charge if steps are taken to ensure that exposed food; clean equipment, utensils, and linens; and unwrapped single-service and single-use articles are protected from contamination;<sup>Pf</sup>
  - (c) Authorized Persons Compliance. Employees and other persons such as delivery and maintenance persons and pesticide applicators entering the food preparation, food storage, and warewashing areas comply with this Chapter;<sup>Pf</sup>
  - (d) Employee Handwashing. Employees are effectively cleaning their hands, by routinely monitoring the employees' handwashing;<sup>Pf</sup>

(e) Monitoring of Receiving. Employees are visibly observing and verifying delivered foods as they are received to determine that they are from approved sources and are placed into appropriate storage locations, as required by this Chapter, such that they are received and maintained at the required temperatures, protected from contamination, unadulterated, and accurately presented, by routinely monitoring the employees' observations, maintaining receiving/corrective action records for deliveries during non-operating hours, and periodically evaluating foods upon their receipt as specified within DPH Rule [511-6-1-.04\(3\)\(m\)](#).<sup>Pf</sup>

(f) Proper Cooking Techniques. Employees are properly cooking cold/hot holding, and reheating for hot holding time/temperature control for safety food, being particularly careful in cooking, reheating, and holding those foods known to cause severe foodborne illness and death, such as eggs and comminuted meats, through daily oversight of the employees' routine monitoring of the cooking, holding, and reheating for hot holding temperatures using appropriate temperature measuring devices properly scaled and calibrated.<sup>Pf</sup>

(g) Proper Cooling Methods. Employees are using proper methods to rapidly cool time/temperature control for safety food, that are not held hot or are not for consumption within four hours, through daily oversight of the employees' routine monitoring of food temperatures during cooling.<sup>Pf</sup>

(h) Consumer Food Safety. Consumers who order raw or partially cooked ready-to-eat foods of animal origin are informed that the food is not cooked sufficiently to ensure its safety.<sup>Pf</sup>

(i) Proper Sanitizing. Employees are properly sanitizing cleaned multiuse equipment and utensils before they are reused, through routine monitoring of solution temperature and exposure time for hot water sanitizing, and chemical concentration, pH, temperature, and exposure time for chemical sanitizing.<sup>Pf</sup>

(j) Clean Tableware. Consumers are notified that clean tableware is to be used when they return to self-service areas such as salad bars and buffets.<sup>Pf</sup>

(k) Bare Hand Contact. Unless the conditions specified in DPH Rule [511-6-1-.04\(4\)\(a\)4](#) are met, employees are preventing cross-contamination of ready-to-eat food with bare hands by properly using suitable utensils such as deli tissue, spatulas, tongs, single-use gloves, or dispensing equipment.<sup>Pf</sup>

(l) Food Safety Training. Employees are properly trained in food safety, including food allergy awareness, as it relates to their assigned duties.<sup>Pf</sup>

(m) Reporting Responsibilities. Food employees and conditional employees are informed in a verifiable manner of their responsibility to report in accordance with the Chapter, to the person in charge, information about their health and activities as they relate to diseases that are transmissible through food.<sup>Pf</sup> and

(n) Imminent Health Hazard. If an imminent health hazard exists because of an emergency such as a fire, flood, interruption of electrical or water service for two or more hours, sewage malfunction, misuse of poisonous or toxic materials, onset of an apparent foodborne illness outbreak, gross unsanitary occurrence or condition, or other circumstances that may endanger public health, then operations are immediately discontinued and the Health Authority is notified.<sup>P</sup> However, establishments may continue to operate based upon emergency guidance provided by the Health Authority or under an emergency operation plan that has been approved by the Health Authority prior to the occurrence of such emergency events.<sup>Pf</sup>

(o) Procedures and Plans. Written procedures and plans, where specified by this Chapter and as developed by the food service establishment, are maintained and implemented as required.<sup>Pf</sup>

### (3) Certified Food Safety Manager.

(a) Food Safety Manager Certification. Food service establishments shall have in its employ a Certified Food Safety Manager (CFSM) as specified in paragraph (b) of this subsection to ensure food safety is being managed within the food service establishment during all hours of operation as specified within paragraph (d) of this subsection.<sup>Pf</sup>

(b) Certification Requirements/Exemptions. At least one employee that has supervisory and management responsibility and the authority to direct and control food preparation and service shall be a certified food safety manager who has shown proficiency of required information through passing a test that is part of an accredited program that conforms to the national standards for organizations that certify individuals. Certified Food Safety Managers must be designated to one food service establishment only and maintain and renew certification in accordance with the requirements of the examination taken.

1. The following operations are not required to have a certified owner or manager:

- (i) A mobile food service unit that does not process foods;
- (ii) Food service establishments that serve non-time/temperature control for safety food that requires limited preparation, or those time/temperature control for safety foods which have been previously prepared in a permitted food service establishment; and
- (iii) Temporary food service establishments in accordance with DPH Rule [511-6-1-.08\(2\)\(a\)](#).

2. A food service establishment will have sixty days from the date of initial permit issuance, change of ownership permit issuance, or termination of employment of its CFSM to employ a new CFSM.

3. A food service establishment that operates without a CFSM shall notify the Health Authority within thirty days of the date that the establishment ceases to employ a CFSM with the name and certification number of the former CFSM and measures being taken to designate a new CFSM. Measures shall include:

- (i) Hiring a new CFSM;
- (ii) Designating an existing employee who is enrolled in an approved CFSM training course; or
- (iii) Hiring a new employee who is enrolled in an approved CFSM training course.

(c) Certification Documentation.

1. The original CFSM certificate shall be posted in public view in each food service establishment. An additional copy shall be retained on file at the food service establishment at all times, and shall be made available for inspection by the Health Authority.

2. A CFSM certificate which has expired, been revoked or suspended shall not be posted in the food service establishment.

3. All licenses, certificates, diplomas, or other similar credentials issued or granted to an owner or operator who has successfully completed an approved or accredited food safety certification course and exam shall expire on the expiration date determined by the credentialing organization. Within ninety days of the expiration of the CFSM certificate, the CFSM shall enroll in an approved food safety training course, pass an approved exam and obtain a new certificate.

4. The certification is not transferable between persons.

(d) Certified Food Safety Manager Responsibility.

1. The responsibility of the CFSM shall include the safety of food preparation and service by ensuring that all employees who handle, or have responsibility for handling, unpackaged foods of any kind, have sufficient knowledge of safe preparation and service of the food. The nature and extent of the knowledge that each employee is required to have may be tailored, as appropriate, to the employee's duties related to food safety issues.

2. The CFSM shall:

(i) Be the person-in-charge while on the premises of the food service establishment and shall designate someone else to be the person in charge when not on the premises;

(ii) Supervise and instruct food service employees in the techniques of sanitary food handling and proper maintenance of the facility;

(iii) Offer a training program for all food service employees to satisfy employee proficiency in their job responsibilities for food safety;

(iv) Communicate with representatives of the Health Authority about the effectiveness of employee training programs; and

(v) Assess training needs of the food service employees and request formal training as needed.

(4) Employee Health.

(a) Requirement to Report Symptoms, Diagnosis and History of Exposure. The permit holder shall require food employees and conditional employees to report to the CFMS and person in charge, information about their health and activities as they relate to diseases that are transmissible through food. A food employee or conditional employee shall report the information in a manner that allows the CFMS and person in charge to reduce the risk of foodborne disease transmission, including providing necessary additional information, such as the date of onset of symptoms and an illness, or of a diagnosis without symptoms, if the food employee or conditional employee:

1. Has any of the following symptoms:

(i) Vomiting,<sup>P</sup>

(ii) Diarrhea,<sup>P</sup>

(iii) Jaundice,<sup>P</sup>

(iv) Sore throat with fever,<sup>P</sup> or

(v) A lesion containing pus such as a boil or infected wound that is open or draining and is:

(I) On the hands or wrists, unless an impermeable cover such as a finger cot or stall protects the lesion and a single-use glove is worn over the impermeable cover,<sup>P</sup>

(II) On exposed portions of the arms, unless the lesion is protected by an impermeable cover,<sup>P</sup> or

(III) On other parts of the body, unless the lesion is covered by a dry, durable, tight-fitting bandage;<sup>P</sup>

2. Has an illness diagnosed by a health practitioner due to:

(i) Norovirus,<sup>P</sup>

(ii) Hepatitis A virus,<sup>P</sup>

(iii) Shigella spp.,<sup>P</sup>

(iv) Shiga toxin-producing Escherichia coli,<sup>P</sup>

(v) typhoid fever (caused by Salmonella Typhi);<sup>P</sup> or

(vi) nontyphoidal Salmonella;<sup>P</sup>

3. Had typhoid fever (caused by *Salmonella Typhi*), diagnosed by a health practitioner, within the past three months, without having received antibiotic therapy as determined by a health practitioner;<sup>P</sup>

4. Had been exposed to, or is the suspected source of, a confirmed disease outbreak, because the food employee or conditional employee consumed or prepared food implicated in the outbreak, or consumed food at an event prepared by a person who is infected or ill with:

(i) Norovirus within the past 48 hours of the last exposure,<sup>P</sup>

(ii) Shiga toxin-producing *Escherichia coli*, or *Shigella* spp. within the past three days of the last exposure,<sup>P</sup>

(iii) typhoid fever (caused by *Salmonella Typhi*) within the past 14 days of the last exposure,<sup>P</sup> or

(iv) Hepatitis A virus within the past 30 days of the last exposure;<sup>P</sup> or

5. Has been exposed by attending or working in a setting where there is a confirmed disease outbreak, or living in the same household as, and has knowledge about, an individual who works or attends a setting where there is a confirmed disease outbreak, or living in the same household as, and has knowledge about, an individual diagnosed with an illness caused by:

(i) Norovirus within the past 48 hours of the last exposure,<sup>P</sup>

(ii) Shiga toxin-producing *Escherichia coli*, or *Shigella* spp. within the past three days of the last exposure,<sup>P</sup>

(iii) typhoid fever (caused by *Salmonella Typhi*) within the past 14 days of the last exposure,<sup>P</sup> or

(iv) Hepatitis A virus within the past 30 days of the last exposure.<sup>P</sup>

(b) Responsibility of Person in Charge to Notify the Health Authority. The CFSM or person in charge shall notify the Health Authority when a food employee is:

1. Jaundiced,<sup>Pf</sup> or

2. Diagnosed with an illness due to Norovirus, Hepatitis A virus, *Shigella* spp., Shiga toxin-producing *Escherichia coli*, or typhoid fever (caused by *Salmonella Typhi*).<sup>P</sup>

(c) Person in Charge's Responsibility to Prohibit a Symptomatic Conditional Employee. The person in charge shall ensure that a conditional employee:

1. Who exhibits or reports a symptom, or who reports a diagnosed illness as specified under subsection (4)(a)1 - 3 of this Rule, is prohibited from becoming a food employee until the conditional employee meets the criteria for the specific symptoms or diagnosed illness as specified under subsection (4)(h) of this Rule;<sup>P</sup> and

2. Who will work as a food employee in a food service establishment that serves as a highly susceptible population and reports a history of exposure as specified under subsections (4)(a)4 and 5 of this Rule, is prohibited from becoming a food employee until the conditional employee meets the criteria as specified under subsection (4)(h)10 of this Rule.<sup>P</sup>

(d) Person In Charge's Responsibility to Exclude or Restrict a Symptomatic Employee. The person in charge shall ensure that a food employee who exhibits or reports a symptom, or who reports a diagnosed illness or a history of exposure as specified under subsections (4)(a)1 through 5 of this Rule is excluded or restricted and in compliance with a removal, adjustment or retention of an exclusion or restriction.<sup>P</sup>

(e) Responsibility of Food Employee and Conditional Employee to Report. A food employee or conditional employee shall report to the person in charge the information as specified under subsection (4)(a) of this Rule.<sup>Pf</sup>

(f) Responsibility of Food Employee to Comply. A food employee shall comply with an exclusion or restriction and with a removal, adjustment or retention of an exclusion or restriction.<sup>P</sup>

(g) Exclusions and Restrictions. The person in charge shall exclude or restrict a food employee, from a food service establishment in accordance with the following:

1. Except when the symptom is from a noninfectious condition, exclude a food employee if the food employee is:

(i) Symptomatic with vomiting or diarrhea;<sup>P</sup> or

(ii) Symptomatic with vomiting or diarrhea and diagnosed with an infection from Norovirus, Shigella spp., nontyphoidal Salmonella, or Shiga toxin-producing Escherichia coli.<sup>P</sup>

2. Exclude a food employee who is:

(i) Jaundiced and the onset of jaundice occurred within the last seven calendar days, unless the food employee provides to the person in charge written medical documentation from a health practitioner specifying that the jaundice is not caused by hepatitis A virus or other fecal-orally transmitted infection;<sup>P</sup>

(ii) Diagnosed with an infection from hepatitis A virus within 14 calendar days from the onset of any illness symptoms, or within seven calendar days of the onset of jaundice;<sup>P</sup> or

(iii) Diagnosed with an infection from hepatitis A virus without developing symptoms.<sup>P</sup>

3. Exclude a food employee who is diagnosed with typhoid fever (caused by Salmonella Typhi), or reports a previous diagnosis of typhoid fever (caused by Salmonella Typhi) within the past three months, without having received antibiotic therapy.<sup>P</sup>

4. Exclude a food employee that works in a food service establishment serving a highly susceptible population who is:

(i) Diagnosed with an infection from Norovirus and is asymptomatic;<sup>P</sup>

(ii) Diagnosed with an infection from Shigella spp. and is asymptomatic;<sup>P</sup>

(iii) Diagnosed with an infection from Shiga toxin-producing E. coli, and is asymptomatic;<sup>P</sup> or

(iv) Ill with symptoms of acute onset of sore throat with fever.<sup>P</sup>

5. Restrict a food employee that works in a food service establishment not serving a highly susceptible population who is:

(i) Diagnosed with an infection from Norovirus and is asymptomatic;<sup>P</sup>

(ii) Diagnosed with an infection from Shigella spp. and is asymptomatic;<sup>P</sup>

(iii) Diagnosed with an infection from Shiga toxin-producing E. coli, and is asymptomatic;<sup>P</sup> or

(iv) Ill with symptoms of acute onset of sore throat with fever.<sup>P</sup>

6. Restrict a food employee that is infected with a skin lesion containing pus such as a boil or infected wound that is open or draining and not properly covered.<sup>P</sup>

7. Restrict a food employee that is exposed to a foodborne pathogen as specified under subsections (4)(a)4 or 5 of this Rule, if the food employee who works in a food service establishment serving a highly susceptible population.<sup>P</sup>



8. Restrict a food employee that is diagnosed with an infection from nontyphoidal Salmonella and is asymptomatic who works in a food service establishment serving a highly susceptible population or in a food service establishment not serving a highly susceptible population.

(h) Removal, Adjustment, or Retention of Exclusions and Restrictions. The person in charge may remove, adjust, or retain the exclusion or restriction of a food employee according to the following conditions:

1. Except when a food employee is diagnosed with an infection from hepatitis A virus or typhoid fever (caused by Salmonella Typhi):

(i) Reinstate a food employee who was excluded for being symptomatic with vomiting or diarrhea if the food employee:

(I) Is asymptomatic for at least 24 hours;<sup>P</sup> or

(II) Provides to the person in charge written medical documentation from a health practitioner that states the symptom is from a noninfectious condition.<sup>P</sup>

(ii) If a food employee was diagnosed with an infection from Norovirus, and excluded for being symptomatic with vomiting or diarrhea:

(I) Restrict the food employee, who is asymptomatic for at least 24 hours and works in a food service establishment not serving a highly susceptible population, until the conditions for reinstatement as specified under paragraphs 4(i) or (ii) of this subsection are met;<sup>P</sup> or

(II) Retain the exclusion for the food employee, who is asymptomatic for at least 24 hours and works in a food service establishment that serves a highly susceptible population, until the conditions for reinstatement as specified under paragraphs 4(i) or (ii) of this subsection are met.<sup>P</sup>

(iii) If a food employee was diagnosed with an infection from Shigella, and excluded for being symptomatic with vomiting or diarrhea:

(I) Restrict the food employee who is asymptomatic for at least 24 hours and works in a food service establishment not serving a highly susceptible population, until the conditions for reinstatement as specified under paragraphs 5(i) or (ii), of this subsection are met;<sup>P</sup> or

(II) Retain the exclusion for the food employee, who is asymptomatic for at least 24 hours and works in a food service establishment that serves a highly susceptible population, until the conditions for reinstatement as specified under paragraphs 5(i) or (ii), or 5(i) and 1(iii)(I) of this subsection are met.<sup>P</sup>

(iv) If a food service employee was diagnosed with an infection from Shiga toxin-producing Escherichia coli and excluded for being symptomatic with vomiting or diarrhea:

(I) Restrict the food service employee, who is asymptomatic for at least 24 hours and works in a food service establishment not serving a high susceptible population, until the conditions for reinstatement as specified under paragraphs 6(i) or (ii) of this section are met;<sup>P</sup> or

(II) Retain the exclusion for the food employee who is asymptomatic for at least 24 hours and works in a food service establishment that serves a highly susceptible population, until the conditions for reinstatement as specified under paragraphs (6)(i) or (ii) of this subsection are met.<sup>P</sup>

(v) If food employee was diagnosed with an infection from nontyphoidal Salmonella and excluded for being symptomatic with vomiting or diarrhea:

(I) Restrict the food employee who is asymptomatic for at least 30 days until conditions for reinstatement specified under paragraphs (7)(i) or (ii) of this subsection are met.<sup>P</sup>

(II) Retain the exclusion for the food employee who is symptomatic, until conditions for reinstatement under paragraphs (7)(i) or (ii) of this subsection are met.<sup>P</sup>

2. Reinstatement a food employee who was excluded as specified under paragraph (4)(g)2 of this Rule if the person in charge obtains approval from the Health Authority and one of the following conditions is met:

(i) The food employee has been jaundiced for more than seven calendar days;<sup>P</sup>

(ii) The anicteric food employee has been symptomatic with symptoms other than jaundice for more than 14 calendar days;<sup>P</sup> or

(iii) The food employee provides to the person in charge written medical documentation from a health practitioner stating that the food employee is free of a hepatitis A virus infection.<sup>P</sup>

3. Reinstatement a food employee who was excluded for a diagnosis of typhoid fever (caused by *Salmonella Typhi*), or a previous infection of typhoid fever within the past 3 months without receiving antibiotic treatment if:

(i) The person in charge obtains approval from the Health Authority;<sup>P</sup> and

(ii) The food employee provides to the person in charge written medical documentation from a health practitioner that states the food employee is free from typhoid fever (caused by *Salmonella Typhi*).<sup>P</sup>

4. Reinstatement a food employee who was excluded for being symptomatic with Norovirus or asymptomatic with Norovirus and working in a food service establishment serving a highly susceptible population or who was restricted for being asymptomatic with Norovirus in a food service establishment not serving a highly susceptible population if the person in charge obtains approval from the Health Authority and one of the following conditions is met:

(i) The excluded or restricted food employee provides to the person in charge written medical documentation from a health practitioner stating that the food employee is free of a Norovirus infection;<sup>P</sup>

(ii) The food employee was excluded or restricted after symptoms of vomiting or diarrhea resolved, and more than 48 hours have passed since the food employee became asymptomatic;<sup>P</sup> or

(iii) The food employee was excluded or restricted and did not develop symptoms and more than 48 hours have passed since the food employee was diagnosed.<sup>P</sup>

5. Reinstatement a food employee who was excluded for being symptomatic with *Shigella* or asymptomatic with *Shigella* and working in a food service establishment serving a highly susceptible population or who was restricted for being asymptomatic with *Shigella* in a food service establishment not serving a highly susceptible population if the person in charge obtains approval from the Health Authority and one of the following conditions is met:

(i) The excluded or restricted food employee provides to the person in charge written medical documentation from a health practitioner stating that the food employee is free of a *Shigella* spp. infection based on test results showing two consecutive negative stool specimen cultures that are taken:

(I) Not earlier than 48 hours after discontinuance of antibiotics,<sup>P</sup> and

(II) At least 24 hours apart;<sup>P</sup>

(ii) The food employee was excluded or restricted after symptoms of vomiting or diarrhea resolved, and more than seven calendar days have passed since the food employee became asymptomatic;<sup>P</sup> or

(iii) The food employee was excluded or restricted and did not develop symptoms and more than seven calendar days have passed since the food employee was diagnosed.<sup>P</sup>

6. Reinstate a food employee who was excluded for being symptomatic with Shiga toxin-producing *Escherichia coli* or asymptomatic with Shiga toxin-producing *Escherichia coli* and working in a food service establishment serving a highly susceptible population or who was restricted for being asymptomatic with Shiga toxin-producing *Escherichia coli* in a food service establishment not serving a highly susceptible population if the person in charge obtains approval from the Health Authority and one of the following conditions is met:

(i) The excluded or restricted food employee provides to the person in charge written medical documentation from a health practitioner stating that the food employee is free of an infection from Shiga toxin-producing *Escherichia coli* based on test results that show two consecutive negative stool specimen cultures that are taken:

(I) Not earlier than 48 hours after discontinuance of antibiotics;<sup>P</sup> and

(II) At least 24 hours apart;<sup>P</sup>

(ii) The food employee was excluded or restricted after symptoms of vomiting or diarrhea resolved and more than seven calendar days have passed since the food employee became asymptomatic;<sup>P</sup> or

(iii) The food employee was excluded or restricted and did not develop symptoms and more than seven days have passed since the food employee was diagnosed.<sup>P</sup>

7. Reinstate a food employee who was excluded for being symptomatic with nontyphoidal *Salmonella* or who was restricted for being asymptomatic with nontyphoidal *Salmonella* and working in a Highly Susceptible Population or a food service establishment not serving a Highly Susceptible Population if the Person in Charge obtains approval from the Health Authority and one of the following conditions is met:

(i) The excluded or restricted food employee provides to the Person in Charge written medical documentation from a health practitioner stating that the food employee is free of a nontyphoidal *Salmonella* infection based on test results showing 2 consecutive negative stool specimen cultures that are taken;

(I) Not earlier than 48 hours after discontinuance of antibiotics,<sup>P</sup> and

(II) At least 24 hours apart;<sup>P</sup>

(ii) The food employee was restricted after symptoms of vomiting or diarrhea resolved, and more than 30 days have passed since the food employee became asymptomatic;<sup>P</sup> or

(iii) The food employee was excluded or restricted and did not develop symptoms and more than 30 days have passed since the food employee was diagnosed.

8. Reinstate a food employee who was excluded or restricted for being ill with symptoms of acute onset of sore throat with fever if the food employee provides to the person in charge written medical documentation from a health practitioner stating that the food employee meets one of the following conditions:

(i) Has received antibiotic therapy for *Streptococcus pyogenes* infection for more than 24 hours;<sup>P</sup>

(ii) Has at least one negative throat specimen culture for *Streptococcus pyogenes* infection;<sup>P</sup> or

(iii) Is otherwise determined by a health practitioner to be free of a *Streptococcus pyogenes* infection.<sup>P</sup>

9. Reinstate a food employee who was restricted for a skin lesion containing pus such as a boil or infected wound that was open and draining if the skin, infected wound, cut, or pustular boil is properly covered with one of the following:

(i) An impermeable cover such as a finger cot or stall and a single-use glove over the impermeable cover if the infected wound or pustular boil is on the hand, finger, or wrist;<sup>P</sup>

- (ii) An impermeable cover on the arm if the infected wound or pustular boil is on the arm;<sup>P</sup> or
- (iii) A dry, durable, tight-fitting bandage if the infected wound or pustular boil is on another part of the body.<sup>P</sup>

10. Reinstate a food employee who was restricted in a food service establishment serving a highly susceptible population due to exposure to one of the following pathogens as specified under subsection (4)(a)4 or 5 of this Rule:

(i) Norovirus and one of the following conditions is met:

- (I) More than 48 hours have passed since the last day the food employee was potentially exposed;<sup>P</sup> or
- (II) More than 48 hours have passed since the food employee's household contact became symptomatic.<sup>P</sup>

(ii) Shigella spp. or Shiga toxin-producing Escherichia coli and one of the following conditions is met:

- (I) More than three calendar days have passed since the last day the food employee was potentially exposed;<sup>P</sup> or
- (II) More than three calendar days have passed since the food employee's household contact became asymptomatic.<sup>P</sup>

(iii) Typhoid fever (caused by Salmonella Typhi) and one of the following conditions is met:

- (I) More than 14 calendar days have passed since the last day the food employee was potentially exposed;<sup>P</sup> or
- (II) More than 14 calendar days have passed since the food employee's household contact became asymptomatic.<sup>P</sup>

(iv) Hepatitis A virus and one of the following conditions is met:

- (I) The food employee is immune to hepatitis A virus infection because of a prior illness from hepatitis A;
- (II) The food employee is immune to hepatitis A virus infection because of vaccination against hepatitis A;<sup>P</sup>
- (III) The food employee is immune to hepatitis A virus infection because of IgG administration;<sup>P</sup>
- (IV) More than 30 calendar days have passed since the last day the food employee was potentially exposed;<sup>P</sup>
- (V) More than 30 calendar days have passed since the food employee's household contact became jaundiced;<sup>P</sup> or
- (VI) The food employee does not use an alternative procedure that allows bare hand contact with ready-to-eat food through a variance until at least 30 days after the potential exposure, and the food employee receives additional training about:

I. Hepatitis A symptoms and preventing the transmission of infection,<sup>P</sup>

II. Proper handwashing procedures,<sup>P</sup> and

III. Protecting ready-to-eat food from contamination introduced by bare hand contact.<sup>P</sup>

(5) Personal Cleanliness:

- (a) Clean Condition. Food employees shall keep their hands and exposed portions of their arms clean.<sup>P</sup>
- (b) Cleaning Procedure.

1. Except as specified in paragraph 4 of this subsection, food employees shall clean their hands and exposed portions of their arms, including surrogate prosthetic devices for hands or arms, for at least 20 seconds, using a cleaning compound in a handwashing sink that is properly equipped.<sup>P</sup>

2. Food employees shall use the following cleaning procedure in the order stated to clean their hands and exposed portions of their arms, including surrogate prosthetic devices for hands and arms:

(i) Rinse under clean, running warm water;<sup>P</sup>

(ii) Apply an amount of cleaning compound recommended by the cleaning compound manufacturer;<sup>P</sup>

(iii) Rub together vigorously for at least 10 to 15 seconds while:

(I) Paying particular attention to removing soil from underneath the fingernails during the cleaning procedure,<sup>P</sup> and

(II) Creating friction on the surfaces of the hands and arms or surrogate prosthetic devices for hands and arms, finger tips, and areas between the fingers;<sup>P</sup>

(iv) Thoroughly rinse under clean, running warm water;<sup>P</sup> and

(v) Immediately follow the cleaning procedure with thorough drying using disposable paper towels, a continuous towel system, or a heated-air hand drying device.<sup>P</sup>

3. To avoid recontaminating their hands or surrogate prosthetic devices, food employees may use disposable paper towels or similar clean barriers when touching surfaces such as manually operated faucet handles on a handwashing sink or the handle of a restroom door.

4. If approved and capable of removing the types of soils encountered in the food operations involved, an automatic handwashing facility may be used by food employees to clean their hands or surrogate prosthetic devices.

(c) When to Wash.

1. Food employees shall clean their hands and exposed portions of their arms immediately before engaging in food preparation including working with exposed food, clean equipment and utensils, and unwrapped single-service and single-use articles<sup>P</sup> and:

(i) After touching bare human body parts other than clean hands and clean, exposed arms;<sup>P</sup>

(ii) After using the toilet room;<sup>P</sup>

(iii) After caring for or handling service animals or aquatic animals;<sup>P</sup>

(iv) After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking, except for drinking from a closed beverage container and the container is handled to prevent contamination of the hands;<sup>P</sup>

(v) After handling soiled equipment or utensils;<sup>P</sup>

(vi) During food preparation, as often as necessary to remove soil and contamination and to prevent cross contamination when changing tasks;<sup>P</sup>

(vii) When switching between working with raw food and working with ready-to-eat food;<sup>P</sup>

(viii) Before donning gloves to initiate a task that involves working with food;<sup>P</sup> and

(ix) After engaging in other activities that contaminate the hands.<sup>P</sup>

2. All employees shall wash hands before leaving the restroom. All food employees leaving the restroom shall wash their hands again upon re-entering the food preparation area.<sup>P</sup>

(d) Where to Wash. Food employees shall clean their hands in a handwashing sink or approved automatic handwashing facility and may not clean their hands in a sink used for food preparation or warewashing, or in a service sink or curbed cleaning facility used for the disposal of mop water and similar liquid waste.<sup>Pf</sup>

(e) Hand Antiseptics.

1. A hand antiseptic used as a topical application, a hand antiseptic solution used as a hand dip, or a hand antiseptic soap shall:

(i) Comply with one of the following:

(I) Be an approved drug that is listed in the FDA publication, "Approved Drug Products with Therapeutic Equivalence Evaluations" as an approved drug based on safety and effectiveness,<sup>Pf</sup> or

(II) Have active antimicrobial ingredients that are listed in the FDA monograph for OTC Health-Care Antiseptic Drug Products as an antiseptic handwash,<sup>Pf</sup> and

(ii) Consist only of components which the intended use of each complies with one of the following:

(I) A threshold of regulation exemption as specified in [21 CFR 170.39](#) - Threshold of regulation for substances used in food-contact articles,<sup>Pf</sup> or

(II) [21 CFR 178](#) - Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers as regulated for use as a food additive with conditions of safe use,<sup>Pf</sup> or

(III) A determination of generally recognized as safe (GRAS). Partial listings of substances with food uses that are GRAS may be found in [21 CFR 182](#) - Substances Generally Recognized as Safe, [21 CFR 184](#) - Direct Food Substances Affirmed as Generally Recognized as Safe, or [21 CFR 186](#) - Indirect Food Substances Affirmed as Generally Recognized as Safe for use in contact with food; and in FDA's Inventory of GRAS Notices,<sup>Pf</sup> or

(IV) A prior sanction listed under [21 CFR 181](#) - Prior Sanctioned Food Ingredients,<sup>Pf</sup> or

(V) A Food Contact Notification that is effective,<sup>Pf</sup> and

(iii) Be applied only to hands that are clean.<sup>Pf</sup>

2. If a hand antiseptic or a hand antiseptic solution used as a hand dip does not meet the criteria specified under paragraph 1(ii) of this subsection, use shall be:

(i) Followed by thorough hand rinsing in clean water before hand contact with food or by the use of gloves;<sup>Pf</sup> or

(ii) Limited to situations that involve no direct contact with food by the bare hands.<sup>Pf</sup>

3. A hand antiseptic solution used as a hand dip shall be maintained clean and at a strength Equivalent to at least 100 mg/L chlorine.<sup>Pf</sup>

(f) Fingernails. Employees shall keep their fingernails clean and trimmed to no longer than the tips of the fingers.<sup>Pf</sup> Unless wearing gloves in good repair, a food employee may not wear fingernail polish or artificial fingernails when working with exposed food.<sup>Pf</sup>

(g) Jewelry. Except for a plain ring such as a wedding band food employees may not wear jewelry including medical information jewelry on their arms and hands while preparing food.

(h) Clothing. The outer layer of clothing of all employees shall be clean. Food employees shall wear clean outer clothing to prevent contamination of food, equipment, utensils, linen, and single-service and single-use articles.

(i) Hair Restraints.

1. Employees preparing or handling food shall use effective and clean, disposable or easily cleanable nets or other hair restraints approved by the Health Authority, worn properly to restrain loose hair including beards and mustaches longer than one half inch.
2. This does not apply to employees such as counter staff who only serve beverages and wrapped or packaged foods, hostesses, and wait staff if they present a minimal risk of contaminating exposed food, clean utensils and linens and unwrapped single-service and single-use articles.

(j) Hygienic Practices.

1. Employees shall not use tobacco in any form, or electronic devices that simulate tobacco smoking, while engaged in food preparation or service, nor while in areas used for equipment or utensil washing and storage, food preparation or food storage. Employees shall only use tobacco products or electronic devices that simulate tobacco smoking in approved designated areas.
2. Employees shall consume food only in approved designated areas separate from food preparation and serving areas, equipment or utensil areas and food storage areas. However, drinking from a single service beverage cup with a secure lid and straw that is handled to prevent contamination of the employee's hands, the container, exposed food, clean equipment, utensils and linens, unwrapped single-service and single-use articles will be allowed.
3. Employees shall handle soiled tableware in a way that minimizes contamination of their hands.
4. Employees shall maintain a high degree of personal cleanliness and shall use good hygienic practices during all working periods in the food service establishment.
5. Food employees experiencing persistent sneezing, coughing, or runny nose that cause discharges from the eyes, nose, or mouth may not work with exposed food; clean equipment; utensils, and linens; or unwrapped single-service articles.
6. Food employees may not care for or handle animals that may be present such as patrol dogs, service animals, or pets that are allowed as specified in DPH Rule [511-6-1-.07\(5\)\(o\)\(2\)\(ii\) through \(vi\)](#).<sup>Pf</sup> Food employees with service animals may handle or care for their service animal and food employees may handle or care for fish in aquariums or molluscan shellfish or crustacean in display tanks if they wash their hands as specified in this Rule.

(6) Responding To Contamination Events. A food establishment shall have procedures for employees to follow when responding to vomiting or diarrheal events that involve the discharge of vomitus or fecal matter onto surfaces in the food service establishment. The procedures shall address the specific actions employees must take to minimize the spread of contamination and the exposure of employees, consumers, food, and surfaces to vomitus or fecal matter.<sup>Pf</sup>

**Cite as** Ga. Comp. R. & Regs. R. 511-6-1-.03

**AUTHORITY:** O.C.G.A. §§ [26-2-373](#), [31-2A-6](#).

**HISTORY:** Original Rule entitled "Management and Personnel" adopted. F. Oct. 9, 2015; eff. Oct. 29, 2015.

**Amended:** F. Jan. 25, 2023; eff. Feb. 24, 2023, as specified by the Agency.

**Note:** Rule [511-6-1-.03](#), the incorrect Rule was posted on the Rules and Regulations website February 4, 2023 through April 23, 2023, due to an administrative error. The correct Rule, as filed on January 25, 2023, was updated on the Rules and Regulations website on April 24, 2023; the original filed and effective dates (i.e., F. Jan. 25, 2023; eff. Feb. 24, 2023, as specified by the Agency.) were retained. Effective April 20, 2023.

## **511-6-1-.06 Sanitary Facilities and Controls**

### **(1) Water Supply.**

(a) Approved System. Enough potable water for the needs of the food service establishment shall be provided from an approved source that is a public water system;<sup>P</sup> or a nonpublic water system that is constructed, maintained and operated according to applicable state or local codes as amended.<sup>P</sup>

(b) System Flushing and Disinfection. A potable water system shall be flushed and disinfected before being placed in service after construction, repair, or modification and after an emergency situation, such as a flood, or water interruption event that may introduce contaminants to the system.<sup>P</sup>

(c) Bottled Drinking Water. Bottled and packaged potable water shall be obtained from a source that complies with all laws and shall be handled and stored in a way that protects it from contamination.<sup>P</sup> Bottled and packaged potable water shall be dispensed from the original container.

(d) Standards. Except as specified under subsection (1)(e) of this Rule:

1. Water from a public water system shall meet [40 CFR 141](#) - National Primary Drinking Water Regulations and state drinking water quality standards;<sup>P</sup> and

2. Water from a nonpublic water system shall meet state drinking water quality standards or as applicable as established by the department.<sup>P</sup>

(e) Nondrinking Water. A non-potable water supply may be used for nonculinary purposes such as air conditioning, nonfood equipment cooling, fire protection, and irrigation.<sup>P</sup>

(f) Non-Public Water Supply - Approved Wells.

1. Sampling. Except when used as specified under subsection (1)(e) of this Rule water from a non-public water system shall be sampled and tested in accordance with requirements as established by the department,<sup>Pf</sup> and

2. Sampling Report. The most recent sample report for the non-public water system shall be retained on file in the food service establishment or the report shall be maintained as specified by the Department.

(g) Capacity.

1. The water source and system shall be of sufficient capacity to meet the peak water demands of the food service establishment.<sup>Pf</sup>

2. Hot water generation and distribution systems shall be sufficient to meet the peak hot water demands throughout the food service establishment.<sup>Pf</sup>

(h) Pressure. Water under pressure shall be provided to all fixtures, equipment, and nonfood equipment that are required to use water except that water supplied as specified under subsection(1)(k)1 and 2 to a temporary food service operation or in response to a temporary interruption of a water supply need not be under pressure.<sup>Pf</sup>

(i) System. Water shall be received from the source through the use of:

1. An approved public water main;<sup>Pf</sup> or

2. One or more of the following that shall be constructed, maintained, and operated according to law:<sup>Pf</sup>

(i) Nonpublic water main, water pumps, pipes, hoses, connections, and other appurtenances,<sup>Pf</sup>

(ii) Water transport vehicles,<sup>Pf</sup> or



(iii) Water containers.<sup>Pf</sup>

(j) Alternative Water Supply. Water meeting the requirements specified under subsections (1)(a) - (i) of this Rule shall be made available for a mobile food service establishment's base of operation, for a temporary food service establishment without a permanent water supply, and for a food service establishment with a temporary interruption of its water supply through:

1. A supply of containers of commercially bottled drinking water;<sup>Pf</sup>
2. One or more closed portable water containers;<sup>Pf</sup>
3. An enclosed vehicular water tank;<sup>Pf</sup>
4. An on-premises water storage tank;<sup>Pf</sup> or
5. Piping, tubing, or hoses connected to an adjacent approved source.<sup>Pf</sup>

(2) Plumbing System.

(a) Approved.

1. A plumbing system and hoses conveying water shall be constructed and repaired with approved materials according to law.<sup>P</sup>
2. A water filter shall be made of safe materials.<sup>Pf</sup>

(b) Approved System and Cleanable Fixtures.

1. A plumbing system shall be designed, constructed, and installed according to law.<sup>P</sup>
2. A plumbing fixture such as a handwashing sink, toilet, or urinal shall be easily cleanable.

(c) Handwashing Sink Installation.

1. A handwashing sink shall be equipped to provide tempered water at a temperature of at least 100°F (38°C) through a mixing valve or combination faucet.<sup>Pf</sup>
2. A steam mixing valve may not be used at a handwashing sink.
3. A self-closing, slow-closing, or metering faucet shall provide a flow of water for at least 15 seconds without the need to reactivate the faucet.
4. An automatic handwashing facility shall be installed in accordance with manufacturer's instructions.

(d) Backflow Prevention, Air Gap. An air gap between the water supply inlet and the flood level rim of the plumbing fixture, equipment or nonfood equipment shall be at least twice the diameter of the water supply inlet and may not be less than 1 inch (25 mm).<sup>P</sup>

(e) Backflow Prevention Device, Design Standard. A backflow or backsiphonage prevention device installed on a water supply system shall meet American Society of Sanitary Engineering (A.S.S.E.) standards for construction, installation, maintenance, inspection, and testing for that specific application and type of device.<sup>P</sup>

(f) Conditioning Device, Design. A water filter, screen, and other water conditioning device installed on water lines shall be located to facilitate disassembly for periodic servicing and cleaning. A water filter element shall be of the replaceable type.

(g) Handwashing Sinks, Numbers and Capacities.

1. Except as specified in paragraph 2 of this subsection, at least one handwashing sink, a number of handwashing sinks necessary for their convenient use by employees in areas specified under subsection (2)(l) of this Rule, and not fewer than the number of handwashing sinks required by law shall be provided.<sup>Pf</sup>

2. If approved and capable of removing the types of soils encountered in the food operations involved, automatic handwashing facilities may be substituted for handwashing sinks in a food service establishment that has at least one handwashing sink.

(h) Toilets and Urinals, Numbers and Capacities.

1. Toilet facilities shall be provided for food employees.

2. All toilet facilities shall be installed in accordance with applicable State or local plumbing code as amended, and shall be the number required by such code.

3. In toilet facilities that have exit doors with handles or knobs that must be touched to open, sanitary towels must be provided.

4. In all establishments with dining facilities on the premises and permitted since July 31, 1995, patrons' toilet facilities shall be provided. Access to patrons' toilet facilities shall not be through food service, preparation, storage, or warewashing areas.

5. Toilets shall be located on or within 200 feet of the premises. Off-premises toilets must be approved by the Health Authority.

(i) Service Sinks, Numbers and Capacities. At least one service sink or one curbed cleaning facility equipped with a floor drain shall be provided and conveniently located for the cleaning of mops or similar wet floor cleaning tools and for the disposal of mop water and similar liquid waste. Toilets and urinals may not be used as a service sink for the disposal of mop water and similar liquid waste.

(j) Backflow Prevention Device, When Required. A plumbing system shall be installed to preclude backflow of a solid, liquid, or gas contaminant into the water supply system at each point of use at the food service establishment, including on a hose bib if a hose is attached or on a hose bib if a hose is not attached and backflow prevention is required by law, by:

1. Providing an air gap;<sup>P</sup> or

2. Installing an approved backflow prevention devices.<sup>P</sup>

(k) Backflow Prevention Device, Carbonator.

1. If not provided with an air gap as specified under subsection (2)(d) of this Rule a double check valve with an intermediate vent preceded by a screen of not less than 100 mesh to 1 inch (100 mesh to 25.4 mm) shall be installed upstream from a carbonating device and downstream from any copper in the water supply line.<sup>P</sup>

2. A single or double check valve attached to the carbonator need not be of the vented type if an air gap or vented backflow prevention device has been otherwise provided as specified under paragraph 1 of this subsection.

(l) Handwashing Sinks, Location and Placement. A handwashing sink shall be located:

1. To allow convenient use by employees in food preparation, food dispensing, and warewashing areas;<sup>Pf</sup> and

2. In, or immediately adjacent to, toilet rooms.<sup>Pf</sup>

(m) Backflow Prevention Device, Location. A backflow prevention device shall be located so that it may be serviced and maintained.

(n) Conditioning Device, Location. A water filter, screen, and other water conditioning device installed on water lines shall be located to facilitate disassembly for periodic servicing and cleaning.

(o) Using a Handwashing Sink.

1. A handwashing sink shall be maintained so that it is accessible at all times for employee use.<sup>Pf</sup>
2. A handwashing facility may not be used for purposes other than handwashing.<sup>Pf</sup>
3. An automatic handwashing facility shall be used in accordance with manufacturer's instructions.<sup>Pf</sup>

(p) Prohibiting a Cross Connection.

1. A person may not create a cross connection by connecting a pipe or conduit between the drinking water system and a nondrinking water system or a water system of unknown quality.<sup>P</sup>
2. The piping of a nondrinking water system shall be durably identified so that it is readily distinguishable from piping that carries drinking water.<sup>Pf</sup>

(q) Scheduling Inspection and Service for a Water System Device. A device such as a water treatment device or backflow preventer shall be scheduled for inspection and service, in accordance with manufacturer's instructions and as necessary to prevent device failure based on local water conditions, and records demonstrating inspection and service shall be maintained by the person in charge.<sup>Pf</sup>

(r) System Maintained in Good Repair. A plumbing system shall be repaired according to law;<sup>P</sup> and maintained in good repair.

(3) Mobile Water Tank and Mobile Food Service Unit Water Tanks.

(a) Approved. Materials that are used in the construction of a mobile water tank, mobile food service unit water tank, and appurtenances shall be:

1. Safe;<sup>P</sup>
2. Durable, corrosion-resistant, and nonabsorbent; and
3. Finished to have a smooth, easily cleanable surface.

(b) Enclosed System, Sloped to Drain. A mobile water tank shall be:

1. Enclosed from the filling inlet to the discharge outlet; and
2. Sloped to an outlet that allows complete drainage of the tank.

(c) Inspection and Cleaning Port, Protected and Secured. If a water tank is designed with an access port for inspection and cleaning, the opening shall be in the top of the tank and:

1. Flanged upward at least one-half inch (13 mm); and
2. Equipped with a port cover assembly that is:

(i) Provided with a gasket and a device for securing the cover in place, and

(ii) Flanged to overlap the opening and sloped to drain.

(d) "V" Type Threads, Use Limitation. A fitting with "V" type threads on a water tank inlet or outlet shall be allowed only when a hose is permanently attached.

(e) Tank Vent, Protected. If provided, a water tank vent shall terminate in a downward direction and shall be covered with:

1. 16 mesh to 1 inch (16 mesh to 25.4 mm) screen or equivalent when the vent is in a protected area; or
2. A protective filter when the vent is in an area that is not protected from windblown dirt and debris.

(f) Inlet and Outlet, Sloped to Drain.

1. A water tank and its inlet and outlet shall be sloped to drain.
2. A water tank inlet shall be positioned so that it is protected from contaminants such as waste discharge, road dust, oil, or grease.

(g) Hose, Construction and Identification. A hose used for conveying drinking water from a water tank shall be:

1. Safe;<sup>P</sup>
2. Durable, corrosion-resistant, and nonabsorbent;
3. Resistant to pitting, chipping, crazing, scratching, scoring, distortion, and decomposition;
4. Finished with a smooth interior surface; and
5. Clearly and durably identified as to its use if not permanently attached.

(h) Filter, Compressed Air. A filter that does not pass oil or oil vapors shall be installed in the air supply line between the compressor and drinking water system when compressed air is used to pressurize the water tank system.<sup>P</sup>

(i) Protective Cover or Device. A cap and keeper chain, closed cabinet, closed storage tube, or other approved protective cover or device shall be provided for a water inlet, outlet, and hose.

(j) Mobile Food Service Unit Tank Inlet. A mobile food service unit's water tank inlet shall be:

1. Three-fourths inch (19.1 mm) in inner diameter or less; and
2. Provided with a hose connection of a size or type that will prevent its use for any other service.

(k) System Flushing and Sanitization. A water tank, pump, and hoses shall be flushed and sanitized before being placed in service after construction, repair, modification, and periods of nonuse.<sup>P</sup>

(l) Using a Pump and Hoses, Backflow Prevention. A person shall operate a water tank, pump, and hoses so that backflow and other contamination of the water supply are prevented.

(m) Protecting Inlet, Outlet, and Hose Fitting. If not in use, a water tank and hose inlet and outlet fitting shall be protected using a cover or device as specified under subsection (3)(i) of this Rule.

(n) Tank, Pump, and Hoses, Dedication.

1. Except as specified in paragraph 2 of this subsection, a water tank, pump, and hoses used for conveying drinking water shall be used for no other purpose.<sup>P</sup>

2. Water tanks, pumps, and hoses approved for liquid foods may be used for conveying drinking water if they are cleaned and sanitized before they are used to convey water.

(4) Sewage, Other Liquid Waste, and Rainwater.

(a) Mobile Holding Tank, Capacity and Drainage. A sewage holding tank on a mobile food service unit shall be:

1. Sized 15 percent larger in capacity than the water supply tank; and

2. Sloped to a drain that is 1 inch (25 mm) in inner diameter or greater, equipped with a shut-off valve.

(b) Establishment Drainage System. Food service establishment drainage systems, including grease traps, that convey sewage shall be designed and installed as specified under subsection (2)(b)1 of this Rule.

(c) Backflow Prevention.

1. Except as specified in paragraphs 2, 3, and 4 of this subsection, a direct connection may not exist between the sewage system and a drain originating from equipment in which food, portable equipment, or utensils are placed.<sup>P</sup>

2. The requirement in paragraph 1 of this subsection does not apply to floor drains that originate in refrigerated spaces that are constructed as an integral part of the building.

3. If allowed by law, a warewashing machine may have a direct connection between its waste outlet and a floor drain when the machine is located within 5 feet (1.5 m) of a trapped floor drain and the machine outlet is connected to the inlet side of a properly vented floor drain trap.

4. If allowed by law, a warewashing or culinary sink may have a direct connection.

(d) Grease Trap. If used, a grease trap shall be located to be easily accessible for cleaning.

(e) Conveying Sewage. Sewage shall be conveyed to the point of disposal through an approved sanitary sewage system or other system, including use of sewage transport vehicles, waste retention tanks, pumps, pipes, hoses, and connections that are constructed, maintained, and operated according to law.<sup>P</sup>

(f) Removing Mobile Food Service Wastes. Sewage and other liquid wastes shall be removed from a mobile food service unit at an approved waste servicing area in such a way that a public health hazard or nuisance is not created.<sup>Pf</sup>

(g) Flushing a Waste Retention Tank. A tank for liquid waste retention shall be thoroughly flushed and drained in a sanitary manner during the servicing operation.

(h) Approved Sewage Disposal System. Sewage shall be disposed through an approved facility that is:

1. A public sewage treatment plant;<sup>P</sup> or

2. An individual sewage disposal system that is sized, constructed, maintained, and operated according to law.<sup>P</sup>

(i) Other Liquid Wastes and Rainwater. Condensate drainage and other nonsewage liquids and rainwater shall be drained from point of discharge to disposal according to law.

(5) Refuse, Recyclables, And Returnables.

(a) Indoor Storage Area. If located within the food service establishment, a storage area for refuse, recyclables, and returnables shall meet the requirements specified under DPH Rule [511-6-1-.07\(1\) and \(2\)](#).

(b) Outdoor Storage Surface. An outdoor storage surface for refuse, recyclables, and returnables shall be constructed of nonabsorbent material such as concrete or asphalt and shall be smooth, durable, and sloped enough to drain to prevent the collection of surface water.

(c) Outdoor Enclosure. If used, an outdoor enclosure for refuse, recyclables, and returnables shall be constructed of durable and cleanable materials.

(d) Receptacles.

1. Except as specified in paragraph 2 of this subsection, receptacles and waste handling units for refuse, recyclables, and returnables and for use with materials containing food residue shall be durable, cleanable, insect- and rodent-resistant, leakproof, and nonabsorbent.

2. Plastic bags and wet strength paper bags may be used to line receptacles for storage inside the food service establishment, or within closed outside receptacles.

(e) Receptacles in Vending Machines. Except for a receptacle for beverage bottle crown closures, a refuse receptacle may not be located within a vending machine.

(f) Outside Receptacles.

1. Receptacles and waste handling units for refuse, recyclables, and returnables used with materials containing food residue and used outside the food service establishment shall be designed and constructed to have tight-fitting lids, doors, or covers.

2. Receptacles and waste handling units for refuse and recyclables such as an on-site compactor shall be installed so that accumulation of debris and insect and rodent attraction and harborage are minimized and effective cleaning is facilitated around and, if the unit is not installed flush with the base pad, under the unit.

(g) Storage Areas, Rooms, and Receptacles, Capacity and Availability.

1. An inside storage room and area, outside storage area and enclosure, and receptacles shall be of sufficient capacity to hold refuse, recyclables, and returnables that accumulate.

2. A receptacle shall be provided in each area of the food service establishment or premises where refuse is generated or commonly discarded, or where recyclables or returnables are placed.

3. If disposable towels are used at handwashing sinks, a waste receptacle shall be located at each handwashing sink or group of adjacent sinks.

(h) Toilet Room Receptacle, Covered. A toilet room used by females shall be provided with a covered receptacle for sanitary napkins.

(i) Cleaning Implements and Supplies.

1. Except as specified in paragraph 2 of this subsection, suitable cleaning implements and supplies such as high-pressure pumps, hot water, steam, and detergent shall be provided as necessary for effective cleaning of receptacles and waste handling units for refuse, recyclables, and returnables.

2. If approved, off-premises-based cleaning services may be used if on-premises cleaning implements and supplies are not provided.

(j) Storage Areas, Redeeming Machines, Receptacles and Waste Handling Units, Location.

1. An area designated for refuse, recyclables, returnables, and, except as specified in paragraph 2 of this subsection, a redeeming machine for recyclables or returnables shall be located so that it is separate from food, equipment, utensils, linens, and single-service and single-use articles and a public health hazard or nuisance is not created.

2. A redeeming machine may be located in the packaged food storage area or consumer area of a food service establishment if food, equipment, utensils, linens, and single-service and single-use articles are not subject to contamination from the machines and a public health hazard or nuisance is not created.

3. The location of receptacles and waste handling units for refuse, recyclables, and returnables may not create a public health hazard or nuisance or interfere with the cleaning of adjacent space.

(k) **Storing Refuse, Recyclables, and Returnables.** Refuse, recyclables, and returnables shall be stored in receptacles or waste handling units so that they are inaccessible to insects and rodents.

(l) **Areas, Enclosures, and Receptacles, Good Repair.** Storage areas, enclosures, and receptacles for refuse, recyclables, and returnables shall be maintained in good repair.

(m) **Outside Storage Prohibitions.**

1. Except as specified in paragraph 2 of this subsection, refuse receptacles not meeting the requirements specified under subsection (5)(d)1 of this Rule such as receptacles that are not rodent-resistant, unprotected plastic bags and paper bags, or baled units that contain materials with food residue may not be stored outside.

2. Cardboard or other packaging material that does not contain food residues and that is awaiting regularly scheduled delivery to a recycling or disposal site may be stored outside without being in a covered receptacle if it is stored so that it does not create a rodent harborage problem.

(n) **Covering Receptacles.** Receptacles and waste handling units for refuse, recyclables, and returnables shall be kept covered:

1. Inside the food service establishment if the receptacles and units:

(i) Contain food residue and are not in continuous use; or

(ii) After they are filled; and

2. With tight-fitting lids or doors if kept outside the food service establishment.

(o) **Using Drain Plugs.** Drains in receptacles and waste handling units for refuse, recyclables, and returnables shall have drain plugs in place.

(p) **Maintaining Refuse Areas and Enclosures.** A storage area and enclosure for refuse, recyclables, or returnables shall be maintained free of unnecessary items and clean.

(q) **Cleaning Receptacles.**

1. Receptacles and waste handling units for refuse, recyclables, and returnables shall be thoroughly cleaned in a way that does not contaminate food, equipment, utensils, linens, or single-service and single-use articles, and waste water shall be disposed of as specified under subsection (4)(e) of this Rule.

2. Soiled receptacles and waste handling units for refuse, recyclables, and returnables shall be single-use articles.<sup>P</sup>

(r) **Frequency.** Refuse, recyclables, and returnables shall be removed from the premises at a frequency that will minimize the development of objectionable odors and other conditions that attract or harbor insects and rodents.

(s) **Receptacles or Vehicles.** Refuse, recyclables, and returnables shall be removed from the premises by way of:

1. Portable receptacles that are constructed and maintained according to law; or
2. A transport vehicle that is constructed, maintained, and operated according to law.

(t) **Community or Individual Facility.** Solid waste not disposed of through the sewage system such as through grinders and pulpers shall be recycled or disposed of in an approved public or private community recycling or refuse facility; or solid waste shall be disposed of in an individual refuse facility such as a landfill or incinerator which is sized, constructed, maintained, and operated according to law.

**Cite as** Ga. Comp. R. & Regs. R. 511-6-1-.06

**AUTHORITY:** O.C.G.A. §§ [26-2-373](#), **379**, **31-2A-6**.

**HISTORY:** Original Rule entitled "Sanitary Facilities and Controls" adopted. F. Oct. 9, 2015; eff. Oct. 29, 2015.

**Amended:** F. Jan. 25, 2023; eff. Feb. 24, 2023, as specified by the Agency.

**Note:** Rule [511-6-1-.06](#), the incorrect Rule was posted on the Rules and Regulations website February 4, 2023 through April 23, 2023, due to an administrative error. The correct Rule, as filed on January 25, 2023, was updated on the Rules and Regulations website on April 24, 2023; the original filed and effective dates (i.e., F. Jan. 25, 2023; eff. Feb. 24, 2023, as specified by the Agency.) were retained. Effective April 20, 2023.

## **511-6-1-.08 Special Food Service Operations**

(1) Mobile Food Service Units and Extended Food Service Units.

(a) Compliance Required. Mobile food service units and extended food service units shall comply with the requirements of this Chapter, except as otherwise provided in this subsection and as specified under subsection (1)(b) of this Rule.<sup>Pf</sup> After review of a proposed menu, plans and specifications, and the proposed method of operation, the Health Authority may:

1. Impose additional requirements to protect against health hazards related to the conduct of the food service establishment as a mobile operation;
2. Prohibit the sale of some or all time/temperature control for safety food, or
3. When no health hazard will result, modify requirements of this Rule relating to physical facilities, except those requirements specified under subsections (1)(e) and (f) of this Rule.

(b) Exceptions to Compliance for Mobile and Extended Food Service Units.

1. General. Mobile food service units, such as vehicle vendors, and extended food service units may be exempt from the requirements of this Chapter pertaining to the necessity of water and sewage systems and to those requirements pertaining to the cleaning and sanitization, if the following conditions are met:

- (i) The required equipment for cleaning and sanitization exists at their permitted base of operation;<sup>Pf</sup> and
- (ii) Menus shall be limited to food that is prepared, prepackaged and labeled in individual servings, transported and stored; or
- (iii) Beverages that are not time/temperature control for safety foods that are dispensed from covered urns or other protected equipment all under conditions meeting the requirements of the Chapter.<sup>P</sup>



2. Push Carts. Push carts may be exempted from the requirements of subsection (1)(g)1 of this Rule if the following conditions for push carts are met:

(i) The menu shall be limited to only service of commercially prepared and prepackaged time/temperature control for safety foods such as frankfurters, precooked encased sausages, and similar approved foods requiring heating only;<sup>P</sup>

(ii) All food shall be protected from customer handling, coughing, sneezing or other contamination by wrapping, using food shields or other effective barriers. Condiments must be dispensed in single service type packaging, in pump-style dispensers, or in protected squeeze bottles, shakers, or similar dispensers which prevent contamination of the food items by food employees, consumers, insects, or other sources of contamination;<sup>P</sup>

(iii) No cooking equipment shall be allowed at the food vending location of carts. Heating equipment will be limited to steam or hot water heating equipment that meets the requirements of this Chapter;<sup>Pf</sup>

(iv) At a minimum, overhead protection such as an umbrella large enough to fully cover and protect the entirety of the cart, employee and any cart associated equipment such as food storage, handwashing, etc., shall be provided for the cart's onsite operation;<sup>Pf</sup>

(v) Properly installed and equipped handwashing facilities meeting the requirements of this Chapter must be installed on carts. Potable hot and cold running water under pressure with suitable hand cleaner, dispensed paper towels, and a waste receptacle must be provided at or near the handwashing facility;<sup>Pf</sup> However, certified commercially manufactured, portable hand washing stations may be allowed for onsite operational use with the cart upon approval by the Health Authority.

(vi) With the approval of the Health Authority, accessory components such as hard plastic coolers that are NSF listed or certified for commercial use with sufficient ice for cold time/temperature control for safety foods and NSF listed;<sup>Pf</sup>

(vii) In use equipment and utensils must be cleaned and sanitized at least every 4 hours; therefore, carts shall be equipped with at least a 3-compartmented sink dedicated for the purpose of cleaning and sanitizing of equipment and utensils. However, in lieu of the 3-compartmented sink being installed on the cart and as deemed acceptable by the Health Authority, the permit holder may provide an adequate supply of clean and sanitized equipment and utensils stored in such a way on the cart so as to protect them from contamination, if the required equipment for cleaning and sanitization exists at its base of operation;<sup>Pf</sup>

(viii) Push Carts must be designed, constructed and built to at least NSF Standard 59;<sup>Pf</sup> and

(ix) Push Carts must be supplied with one day's operational supply of hot and cold potable water under pressure and waste water storage capacity of 15% larger than that of the potable water tank. The potable water storage tank shall have at least 10 gallons storage capacity and may be required by the Health Authority to have a larger storage volume depending on length of time in which the cart is used away from the base of operation.<sup>P</sup>

(x) Stored food, utensils and equipment, single-service and single-use supplies, and hand washing supplies shall be protected from environmental contamination during transportation of the Push Cart from location to location.<sup>Pf</sup>

(c) Equipment and Supplies Required for Onboard Preparation of more complex menus.

1. Units preparing time/temperature control for safety foods on the unit other than the limited menu items stated within subsection (1)(b) of this Rule shall utilize thermostatically controlled heating, cooling, and freezing equipment for those foods stored or displayed on the unit requiring controlled heating or refrigeration.<sup>Pf</sup>

2. Indicating thermometers for immersion into food or cooking media shall be of metal stem type construction, numerically scaled, and accurate to  $\pm 2$  degrees Fahrenheit.<sup>Pf</sup>

3. Each unit must have two separate types of sinks, one for hand-washing and the other for warewashing.<sup>Pf</sup>

4. Mobile food service units and extended food service units shall provide only individually wrapped single-service articles for use by the consumer.<sup>Pf</sup>

(d) Water System.

1. A mobile food service unit and extended food service unit requiring a water system shall have a potable water system as specified under DPH Rule [511-6-1-.06\(1\)](#), and the water system shall be under pressure.<sup>Pf</sup>

2. Mobile water tanks and mobile food service unit water tanks shall meet all the requirements specified under DPH Rule [511-6-1-.06\(3\)](#) as it relates to materials, design, construction, installation, numbers and capacities, and operation and maintenance of these tanks.<sup>Pf</sup>

3. The system shall be of sufficient capacity to furnish enough hot and cold water for food preparation, utensil cleaning and sanitizing, and handwashing in accordance with the requirements of this regulation.<sup>Pf</sup>

(e) Liquid Waste. The sewage holding tanks for all mobile food service units and extended food service units, and all sewage and liquid waste resulting from the operation of a mobile food service unit or extended food service units shall meet the requirements of and be handled as specified under DPH Rule [511-6-1-.06\(4\)\(a\), \(e\), \(f\), \(g\), \(h\) and \(i\)](#) as it relates to capacity, drainage, design, construction, installation, operation, maintenance and sewage disposal.<sup>Pf</sup>

(f) Operation.

1. A mobile food service unit shall operate from its permitted base of operation and report daily or more often if needed to such location to service their unit for supplies, fresh water, cleaning, waste water disposal, and any other and servicing operations.<sup>P</sup>

2. An extended food service unit shall operate as an extension of its permitted base of operation.<sup>P</sup>

3. An extended food service unit shall be serviced daily from the base of operation.

4. The base of operation or fixed food service establishment used as a base of operation for mobile food units and extended food service units shall be constructed and operated in conjunction with the mobile food service unit or extended food service unit under the active managerial control of a single permit holder to be in compliance with the requirements of this Chapter.<sup>P</sup>

5. Toilet facilities must be available for employee's use and, as applicable, consumer use along the route of food vending locations as per requirements found in DPH Rule [511-6-1-.06\(2\)\(h\)](#). In addition and to the satisfaction of the Health Authority, the permit holder must maintain and provide a list of toilet facilities available to the unit food vending locations.<sup>Pf</sup>

6. When not in use, mobile food service units shall be properly stored at the base of operation or other location approved by the Health Authority.<sup>Pf</sup>

(g) Construction Based Upon Menu.

1. Units preparing and serving time/temperature control for safety foods other than that stated in subsection (1)(b) of this Rule shall be so constructed that the operator must prepare and serve food from within the protective environment of a fully enclosed area of the unit such as that provided for in a fully enclosed trailer.<sup>P</sup> Except that units preparing non-time/temperature control for safety foods such as snow cones and popcorn shall be constructed so that the food preparation and service areas are protected from potential contamination by means of closable cabinets.<sup>Pf</sup>

2. The service area requirements are as follows:

(i) A mobile food service unit servicing area shall be available at its base of operation; except, a servicing area will not be required where only packaged food is placed on the mobile food service unit or where mobile food units do not contain waste retention tanks as stated in subsection (1)(b)1 of this Rule;<sup>Pf</sup>

(ii) Except for areas used only for the loading of water or the discharge of sewage and other liquid waste through the use of a closed system of hoses, servicing areas shall be provided with overhead protection;<sup>Pf</sup>

(iii) There shall be a location and equipment for the flushing and drainage of liquid wastes separate from the location and equipment provided for water servicing and for the loading and unloading of food and related supplies.<sup>Pf</sup> Requirements for sizing and location of equipment for flushing and drainage of liquid wastes and for equipment to provide potable water servicing of units shall be as specified within the most current editions of the Interpretative Manuals as referenced within DPH Rule [511-6-1-.02\(10\)](#);

(iv) The surface of the servicing area shall be constructed of a smooth, nonabsorbent material, such as concrete or machine-laid and sealed asphalt and shall be maintained in good repair, kept clean, and be graded to drain; and

(v) The construction of the walls and ceilings of the servicing areas is exempted from the provisions of DPH Rule [511-6-1-.07\(2\)\(a\) through \(f\)](#).

(vi) Toilet and handwashing facilities that meet the requirements of this Chapter shall be available for employees at the servicing area.<sup>Pf</sup>

(h) Identification.

1. All mobile food service units and extended food service units shall be identified by a sign or lettering indicating the name and address of the owner, the operator and the permit number. Letters and numbers must be at least two inches high.

2. The permit, or copy thereof, and the current inspection report must be displayed for public view and protected from inclement weather.

3. The mobile food service unit authorization to operate shall be made available by the permit holder and shall be provided to the Health Authority upon request.

(i) Food Vending Location.

1. Food vending location requirements are as follows:

(i) Listings for mobile food service unit and extended food service unit food vending locations shall be maintained by the permit holder and shall be provided to the Health Authority. Permit holders shall notify the Health Authority at least 7 days prior to any changes in food vending locations.<sup>Pf</sup>

(ii) The operator must provide evidence of legal access and use of the premises for food vending; and

(iii) If applicable, permit applicants must provide documentation of compliance with another jurisdiction's requirements.

2. Those units functioning under permits granted to food service establishments and operating on their premises as an extension thereof may be allowed, at the Health Authority's discretion to meet lesser restrictions if sanitation, temperature control, and sanitization requirements for operation of the unit are satisfactorily met at the food service establishment.

(j) Compliance with Other Regulations. The operation must comply with all applicable regulations and ordinances.<sup>Pf</sup>

(k) Home Prepared Foods Prohibited. Home prepared foods or condiments may not be sold, served, or used on mobile food service units.<sup>P</sup>

(2) Temporary Food Service Establishments.

(a) Operation, Permit Application, Responsibilities.

1. A temporary food service establishment means a food service establishment that operates at the same location for a period of no more than 14 consecutive days in conjunction with a single event or celebration.<sup>P</sup>

2. The application for a special food service permit shall indicate the inclusive dates of the proposed operation and must be submitted at least 30 days prior to the event.<sup>Pf</sup>

3. The following applies to a vendor application:

(i) Any person desiring to operate a temporary food service establishment shall make written application for a permit on forms provided by the Health Authority at least 30 days prior to the event and pay applicable fees at the time of application.

(ii) The application shall include the name and address of each applicant, the location and type of the proposed temporary food service establishment, a list of all menu items and the signature of the applicant.

4. The organizer's responsibility is the following:

(i) Ensure that only vendors permitted by the Health Authority are allowed to participate in the event,<sup>P</sup>

(ii) The organizer and property owner must notify the Health Authority 30 days prior to the event taking place and provide a list of food vendors who will be allowed by that organizer to participate in the event.<sup>Pf</sup>

(iii) Ensure that any unauthorized or unpermitted vendor found participating in an event shall immediately leave the event premises and shall be charged with a violation of this Rule.<sup>P</sup>

(b) Inspections.

1. Prior to issuance of a permit, the Health Authority shall inspect the proposed temporary food service establishment. The Health Authority shall only issue a permit to the applicant if the inspection reveals that the proposed temporary food service establishment complies with this Rule.

2. Temporary food service inspections will be conducted as often as necessary to ensure compliance with this Rule.

3. The permit, or copy thereof, and the current inspection report must be displayed for public view and protected from inclement weather.

(c) Operations.

1. A temporary food service establishment which does not comply fully with Rules .03 through .07 of this Chapter may be permitted to operate when food preparation, service and the operation meet fully the requirements set forth in DPH Rule [511-6-1-.08\(2\)\(a\) through \(h\)](#).<sup>P</sup>

2. The Health Authority may impose additional requirements to protect against health hazards related to the conduct of the temporary food service establishment.

3. Preparation processes for time/temperature control for safety foods will be approved by the Health Authority based on a plan review that shows adequate holding, preparation and service facilities.<sup>Pf</sup>

4. For special events, foods requiring only cooking may be prepared, if served immediately, in an outside area on the premises of a permitted food service establishment. Prior approval must be obtained from the Health Authority.<sup>P</sup>

(d) Preparation and Service - Time/Temperature Control for Safety Foods - Prohibited Menu Items.

1. Fixed Permitted Food Service Establishments. Any time/temperature control for safety food that has been prepared, stored and transported under conditions meeting the requirements of this Chapter, is stored at a temperature of 41°F (5°C) or below or at a temperature of 135°F (57°C) or above in facilities meeting the requirements of this Chapter may be served.<sup>P</sup>

2. Temporary Onsite Preparation and Service. All food prepared and served onsite of a temporary establishment must comply with the following:

(i) Only those time/temperature control for safety foods requiring limited preparation, such as hamburgers and frankfurters that only require seasoning and cooking, may be prepared or served;<sup>P</sup>

(ii) Once cooked, time/temperature control for safety foods shall not be touched by employee bare hands and must be maintained at 135°F or higher until served;<sup>P</sup>

(iii) Prior to service to the consumer, commercially prepared, precooked, and prepackaged time/temperature control for safety foods may be reheated thoroughly to at least 135°F for 15 seconds;<sup>P</sup> and

(iv) Time as a Public Health Control shall not be allowed in a temporary food service establishment.<sup>P</sup>

3. Menu Item Prohibition. The preparation or service of the following menu items are prohibited from service onsite of a temporary establishment:

(i) Except for paragraph 2 of this subsection, other ready-to-eat, time/temperature control for safety foods, including pastries filled with cream or synthetic cream, custards, and similar products, and salads or sandwiches containing meat, poultry, eggs, or fish is prohibited.<sup>P</sup> This prohibition does not apply to any time/temperature control for safety food that has been prepared and packaged under conditions meeting the requirements of this Chapter, is obtained in individual servings at 135°F (57°C) or above, or 41°F (5°C) or below in facilities meeting the requirements of this Chapter, and is served directly to the consumer in the unopened container in which it was packaged.<sup>P</sup>

(ii) Home prepared foods or condiments may not be sold, served, or used in temporary food service unit establishments.<sup>P</sup>

(e) Equipment and Supplies Required.

1. Indicating thermometers for immersion into food or cooking media shall be of metal stem type construction, numerically scaled, and accurate to  $\pm 2$  degrees Fahrenheit.

2. Enough potable water shall be available at the event for consumption and in the establishment for food preparation, cleaning, and sanitizing utensils and equipment, and for handwashing.<sup>P</sup>

3. Ice shall be handled as follows:

(i) Ice that is consumed or that contacts food shall be made under conditions meeting the requirements of this Chapter,<sup>P</sup>

(ii) The ice shall be obtained only in chipped, crushed, or cubed form and in single-use safe plastic or wet strength paper bags filled and sealed at the point of manufacture,<sup>P</sup>

(iii) The ice shall be held in these bags until it is dispensed in a way that protects it from contamination,<sup>P</sup> and

(iv) Storage of packaged or wrapped food in contact with water or undrained ice is prohibited.<sup>P</sup>

4. Temporary food service operations shall provide only individually wrapped single-service articles for use by the consumer.<sup>Pf</sup>

5. A heating facility capable of producing enough hot water shall be provided on the premises.<sup>Pf</sup>
6. Equipment shall be located and installed in a way that prevents food contamination and that also facilitates cleaning the establishment.<sup>Pf</sup>
7. Food-contact surfaces of equipment shall be protected from contamination by consumers and other contaminating agents. Effective shields for such equipment shall be provided, as necessary, to prevent contamination.<sup>P</sup>
8. Facilities for cleaning and sanitizing utensils and equipment shall be provided at the temporary site or permitted base of operation. Such items shall be cleaned and sanitized at least daily or more often if prescribed by the Health Authority.<sup>Pf</sup>
9. When food is prepared on the site, a system capable of producing enough hot water for cleaning and sanitizing utensils and equipment shall be provided on the premises. Such systems shall consist of:
  - (i) a water heater properly sized according to the needs of the establishment as established by interpretative and guidance manuals referenced within DPH Rule [511-6-1-.02\(8\)](#);<sup>Pf</sup> or
  - (ii) a gas or electric stove or burner with a container of water;<sup>Pf</sup> or
  - (iii) other means as determined by the Health Authority.<sup>Pf</sup>
10. A convenient handwashing facility shall be available for employee handwashing. This facility shall consist of, at least, a catch bucket, a pressurized or gravity fed supply of warm water, soap, and individual paper towels at the service site.<sup>Pf</sup>
- (f) Liquid Waste. All sewage including liquid waste shall be disposed of as specified under DPH Rule [511-6-1-.06\(4\)\(h\) and \(i\)](#).<sup>P</sup>
- (g) Construction.
  1. Floors within food preparation and display areas shall be constructed of concrete, asphalt, tight wood, or other similar material, and shall be kept clean in good repair.
  2. Doors to food preparation areas shall be solid or screened and shall be self-closing or as otherwise approved by the Health Authority.
  3. Screening material used for walls, doors, or windows shall be at least 16 mesh to the inch.
  4. Air curtains shall be properly designed and installed, and approved by the Health Authority.
  5. Ceilings shall be made of wood or other material that protects the interior of the establishment from the weather.<sup>Pf</sup>
  6. Walls and ceilings of food preparation areas shall be constructed in a way that prevents the entrance of insects.
- (h) Protection from Contamination.
  1. Approved means of excluding insect and vermin from food preparation, service areas and from waste storage areas must be provided commensurate with the type and scope of food service permitted.<sup>Pf</sup>
  2. Counter-service openings shall not be larger than necessary for the particular operation conducted.
  3. Counter-service openings shall be provided with effective means to restrict the entrance of flying insects.

4. Counter-service openings shall be kept closed when not in actual use, except that these openings may remain open if air curtains are provided as deemed adequate by the Health Authority.

5. All food preparation and food display areas shall be adequately protected from dust, contamination by patrons, and from insects by provision of walls, ceilings, shields, screens or other approved barriers or devices.<sup>Pf</sup>

6. Open, unprotected display or service of food is prohibited.<sup>P</sup>

(i) **Exceptions to Compliance.** This Rule shall not apply to temporary food services which meet the criteria of DPH Rule [511-6-1-.01\(60\)](#)(a-f).

(3) Incubator Food Service Operations. A permit holder or a permit applicant may seek a variance from the provisions in DPH Rule [511-6-1-.02\(1\)\(a\)4](#), in order to operate an incubator food service establishment only if, as an alternative to DPH Rule [511-6-1-.02\(1\)\(a\)4](#), the permit holder or permit applicant provides a written management plan along with the necessary supportive documentation that specifies standard operating procedures (SOP) in detail to the satisfaction of the Health Authority as to how active managerial control of risk-factors and public health interventions for foodborne illness along with maintenance of equipment and facilities will be maintained to the requirements of this Chapter.<sup>P</sup> Incubator food service operations shall comply with other requirements of this Chapter in addition to the requirements of one of the following business models:<sup>P</sup>

(a) Business Model A. The permit holder must ensure the following:

1. Submit to the Health Authority for review and approval a written management plan that contains a Standard Operating Plan (SOP) and supporting documents that adequately provides: managerial oversight of contractual employees activities, control of risk factors for foodborne illness, handwashing policy, employee health policies, the prevention of any potential cross-contamination of equipment and food resulting from multiuse of food service equipment and utensils, and the ability for the Health Authority to conduct trace back in the event of a foodborne illness involving the establishment. The written managerial plan or SOP must include the following minimum items:<sup>P</sup>

(i) Incubatee/member Contract. A written contract between the permit holder and the incubatee/member must be signed by the permit holder and each incubatee/member prior to incubatee/member being allowed access to the establishment. This written contract must include the following items:<sup>P</sup>

(I) The permit holder must acknowledge its responsibility for all food produced within its establishment from the time that it receives the food and supplies up to and including the service of prepared food to its consumers;<sup>P</sup>

(II) The permit holder may not disclaim any liability for food prepared within the food service establishment;<sup>P</sup>

(III) The Active Managerial Control Plan (SOP) along with supporting documents must be made, directly or by reference, part of the written contract.<sup>P</sup>

(ii) Active Managerial Control Plan and SOP. The SOP will contain not less than the following items:

(I) A statement as to the maximum number of incubatees/members that will use the establishment per day or per shift;<sup>Pf</sup>

(II) A statement as to the ratio of management staff to the number of incubatees/members using the establishment per day or per shift;<sup>Pf</sup>

(III) A statement as to how incubatees/members and their subsidiary employees will be identified. Records listing names and contact information for each incubatee/member and their subsidiary employees must be maintained at the establishment and such records shall be made available for review upon request by the Health Authority;<sup>Pf</sup>

(IV) A statement as to how separation in space and time will be maintained so as no other activities, such as bakery or food processing plant activity, will be conducted at the same time food service operations are being conducted.

Separation of time and space may be accomplished by equipment and facilities being physically separated into areas or rooms separated from each other by walls or partitions as acceptable to the Health Authority. In addition, separation in time and space may be accomplished by scheduling of incubators/members as acceptable to the Health Authority;<sup>Pf</sup>

(V) A statement as to how all employees, including any contractual employees and their subsidiary employees, will be managed so their activities will comply with this Chapter;<sup>Pf</sup>

(VI) A statement as to how the food service management will provide oversight of food processing from receiving to service to the consumer to ensure compliance with this Chapter. As part of this oversight but not limited to the following: food temperature control records must be maintained by the permit holder of the establishment. Food temperature charts for food product temperature control listing the date and time and temperature of food as it leaves the establishment to when it is delivered to the consumer will be maintained for review upon the request of the Health Authority. Food temperature charts shall be maintained by management within the establishment for no less than 90 days from the date of any event or service;<sup>Pf</sup>

(VII) A statement as to how the food service management will track consumers so they will be easily identifiable in the event of a foodborne illness outbreak investigation. Records of events and service will be maintained within the establishment for a minimum of 90 days from the date of each event or service and will be made available upon request for review by the Health Authority;<sup>Pf</sup>

(VIII) A statement as to how management of the food service establishment will track and manage menus to be in compliance with DPH Rule [511-6-14-.02\(1\)\(g\)](#). The most current menu or menus for each incubatee/member will be maintained on record at the establishment and such menu or menus will be made available for review upon request by the Health Authority. Management of the food service establishment will notify the Health Authority of menu changes as specified in DPH Rule [511-5-14-.02\(1\)\(g\)](#);<sup>Pf</sup>

(IX) A statement that only those incubatees/members under active contract will be allowed access to the facilities of the establishment. Food preparation for non-commercial use such as home use will not be allowed. Non-contractual, incubatee/member use of the establishment facilities is prohibited;<sup>Pf</sup>

(X) A list of incubatees/members scheduled for each day must be maintained at the establishment and made available for review by the Health Authority upon request. Only these listed incubatees/members are to be present within the establishment for each scheduled day's operation;<sup>Pf</sup>

(XI) A statement that the permit holder shall directly employ all management of the establishment. The person in charge and the certified food safety manager (CFSM) shall be a direct employee of the permit holder;<sup>P</sup>

(XII) A statement as to who will monitor activities within the food service establishment must be clearly stated. Enough certified food safety managers must be present whenever the establishment is in operation. There must be shown to be adequate coverage of management or persons in charge to ensure compliance with this Chapter.<sup>Pf</sup> Incubatees/members cannot serve as managers, certified food safety managers (CFSMs) or as the person in charge;<sup>P</sup>

(XIII) A complete written plan detailing how the activities of incubatees/members will be monitored and what corrective actions will be taken should risk factors be found out of control must be included with the SOP. The activities of members must be monitored from the receiving of food and supplies to the service of food to the consumer;<sup>Pf</sup>

(XIV) A written employee health policy must be included within the SOP. This written employee health policy must be in compliance with DPH Rule [511-6-1-.03\(4\)](#) and it must include all employees of the establishment including incubatee/members;<sup>Pf</sup>

(XV) A cleaning plan for all nonfood-contact surfaces of equipment. In addition, this cleaning plan shall include cleaning and sanitizing procedures and schedules for food-contact surfaces of equipment and utensils to ensure that food-contact surfaces are being cleaned and sanitized between incubatee/members use and as often as needed to be in compliance with the requirements of this Chapter;<sup>Pf</sup>



(XVI) A written food safety training plan for employees and incubatees/members;<sup>Pf</sup> and

(XVII) A floor plan showing equipment layout and food flow according to proposed menus. All areas, rooms and equipment are to be identified as to use and function. All food service plans and specifications must be reviewed and approved by the local Health Authority prior to any commencement of construction as specified within DPH Rule [511-6-1-.02\(6\)](#).<sup>Pf</sup>

(b) Business Model B. The permit holder must ensure the following:

1. Submit to the Health Authority for review and approval a written management plan that contains a Standard Operating Procedure (SOP) and supporting documents that adequately provides: managerial oversight of contractual employees activities, control of risk factors for foodborne illness, handwashing policies, employee health policies, the prevention of any potential cross-contamination of equipment and food resulting from multiuse of food service equipment and utensils, and the ability for the Health Authority to conduct trace back in the event of a foodborne illness involving the establishment. The written managerial plan or SOP must include the following minimum items:<sup>P</sup>

(i) Incubatee/member Contract. A written contract between the permit holder and the incubatee/member must be signed by the permit holder and each incubatee/member prior to incubatee/member being allowed access to the establishment. This written contract must include the following items:<sup>P</sup>

(I) The permit holder must acknowledge its responsibility for all food produced within its establishment from the time that it receives the food and supplies up to and including the service of prepared food to its consumers;<sup>P</sup>

(II) The permit holder may not disclaim any liability for food prepared within the food service establishment;<sup>P</sup>

(III) The Active Managerial Control Plan (SOP) along with supporting documents must be made, directly or by reference, part of the written contract.<sup>P</sup>

(ii) Active Managerial Control Plan and SOP. The SOP shall not contain less than the following items:

(I) A statement as to the maximum number of incubatees/members that will use the individual build out units per day or per shift;<sup>Pf</sup>

(II) A statement as to the ratio of management staff to the number of incubatees/members using the establishment per day or per shift;<sup>Pf</sup>

(III) A statement as to how incubatees /members and their subsidiary employees will be identified. Records listing names and contact information for each incubatee/member and their subsidiary employees must be maintained at the establishment and such records shall be made available for review upon request by the Health Authority;<sup>Pf</sup>

(IV) A statement as to how separation in space or time will be maintained so as to ensure that all food service operations are conducted within each individual incubatee/member's build-out unit. Separation of all activities, such as bakery or food processing plant activity must be accomplished by equipment and facilities being physically separated into areas or rooms separated from each other by walls or partitions as acceptable to the Health Authority. In addition, separation in time and space may be accomplished by scheduling of incubators/members as acceptable to the Health Authority;<sup>Pf</sup>

(V) A statement as to how all employees, including any contractual employees and their subsidiary employees, will be managed so their activities will comply with this Chapter;<sup>Pf</sup>

(VI) A statement as to how the food service management will provide oversight of food processing from receiving to service to the consumer to ensure compliance with this Chapter. As part of this oversight but not limited to the following: food temperature control records must be maintained by the permit holder of the establishment. Food temperature charts for food product temperature control listing the date, time, and temperature of food as it leaves

the establishment to when it is delivered to the consumer shall be maintained by management for review upon the request of the Health Authority for no less than 6 months from the date of any event or service;<sup>Pf</sup>

(VII) A statement as to how the food service management will track consumers so they will be easily identifiable in the event of a foodborne illness outbreak investigation. Records of events and service will be maintained within the establishment for a minimum of 90 days from the date of each event or service and will be made available upon request for review by the Health Authority;<sup>Pf</sup>

(VIII) A statement as to how management of the food service establishment will track and manage menus to be in compliance with DPH Rule [511-6-1-.02\(1\)\(g\)](#) The most current menu or menus for each incubatee/member will be maintained on record at the establishment and such menu or menus will be made available for review upon request by the Health Authority. Management of the food service establishment will notify the Health Authority of menu changes as specified in DPH Rule [511-6-1-.02\(1\)\(g\)](#);<sup>Pf</sup>

(IX) A statement that only those incubatees/members under active contract will be allowed access to the facilities of the establishment. Food preparation for non-commercial use such as home use will not be allowed. Non-contractual, incubatee/member use of the establishment facilities is prohibited;<sup>Pf</sup>

(X) A list of incubatees/members scheduled for each day according to the build-out unit they will use must be maintained at the establishment and made available for review by the Health Authority upon request. Only these listed incubatees/members are to be present within the establishment for each scheduled day's operation;<sup>Pf</sup>

(XI) A statement that the permit holder shall directly employ all management of the establishment. The person in charge and the certified food safety manager (CFSM) shall be a direct employee of the permit holder;<sup>P</sup>

(XII) A statement as to who will monitor activities within the food service establishment must be clearly stated. Enough certified food safety managers must be present whenever the establishment is in operation. There must be shown to be adequate coverage of management or persons in charge to ensure compliance with this Chapter.<sup>Pf</sup> Incubatees/members cannot serve as managers, certified food safety managers (CFSMs) or as the person in charge;<sup>P</sup>

(XIII) A complete written plan detailing how the activities of incubatees/members will be monitored and what corrective actions will be taken should risk factors be found out of control must be included with the SOP. The activities of members must be monitored from the receiving of food and supplies to the service of food to the consumer;<sup>Pf</sup>

(XIV) A written employee health policy must be included within the SOP. This written employee health policy must be in compliance with DPH Rule [511-6-1-.03\(4\)](#) and it must include all employees of the establishment including incubatee/members;<sup>Pf</sup>

(XV) A cleaning plan for all nonfood-contact surfaces of equipment. In addition, this cleaning plan shall include cleaning and sanitizing procedures and schedules for food-contact surfaces of equipment and utensils to ensure that food-contact surfaces are being cleaned and sanitized between incubatee/members use and as often as needed to be in compliance with the requirements of this Chapter;<sup>Pf</sup>

(XVI) A written food safety training plan for employees and incubatees/members;<sup>Pf</sup> and

(XVII) A floor plan showing equipment layout and food flow according to proposed menus. All areas, rooms and equipment are to be identified as to use and function. All food service plans and specifications must be reviewed and approved by the local Health Authority prior to any commencement of construction as specified within DPH Rule [511-6-1-.02\(6\)](#).<sup>Pf</sup>

(XVIII) Each incubatee/member shall show the incubator food service establishment permit holder proof of a valid permit issued by the Health Authority to a food service facility unit specified in the permit application prior to being allowed access to the specified food service building unit;<sup>P</sup>

(XIX) A permit will be valid for one food service build-out unit per incubatee/member and not multiple food service build-out units;<sup>P</sup> and

(XX) The Health Authority will be notified of food service facility build-out schedule changes.

(4) Catering Food Service Establishments.

(a) Operations.

1. Catering food service establishments shall fully comply with the requirements of DPH Rules [511-6-1-.03](#) through .07 in addition to the following:<sup>P</sup>

(I) Catering operations shall be permitted and operated separately from "food sales establishments" as defined in O.C.G.A. Section [26-2-21](#);<sup>Pf</sup> and

(II) For purposes of inspection of the base of operation and upon request by the Health Authority, catering food service establishments shall provide a quarterly schedule of events to be catered.<sup>Pf</sup>

2. When the catering operation involves only the preparation and delivery of food to a private party, special event, or motion picture filming location and does not include the handling of tableware and utensils or any preparation, service, or restocking of non-prepackaged foods on location at the service site, no hand washing facility is required at the service site.<sup>Pf</sup>

3. When the catering operation involves the handling of tableware and utensils and/or the preparation, service, or restocking of non-prepackaged foods on location at the service site, adequate handwashing facilities are required and shall consist of at least a catch bucket, a pressurized or gravity fed supply of warm water at least 100°F, soap, individual paper towels, and waste receptacle(s) that are available and conveniently located for employees' use in the areas used for food preparation, food service, and warewashing.<sup>Pf</sup>

4. For the duration of the catering operation, all foods, display and service utensils, and other food-contact surfaces shall be adequately protected from dust, weather conditions, insects, and human contamination through the use of walls, ceiling, shields, screens, or other approved barriers or devices.<sup>Pf</sup>

5. Floors within food preparation and display areas shall be constructed of concrete, asphalt, tight wood, or other similar material approved by the Health Authority, and shall be kept clean and in good repair.

6. Catered food shall not be used as an ingredient in another food or be offered for re-service or sale to another consumer. Such catered food is to be discarded to waste or may be left in the possession of the consumer for which the catered food was contracted.<sup>P</sup>

7. When outdoor cooking equipment is used to prepare food at the service site, such equipment shall be located adjacent to a fully enclosed food preparation area and shall comply with all applicable provisions of law. Cookers, grills, ovens or any other type of equipment used for outdoor cooking shall have a lid or other design approved by the Health Authority which protects the food from dust, weather conditions, insects, and human contamination during the cooking process. No food preparation other than seasoning shall be allowed at outdoor cooking equipment.

8. Toilet facilities must be available at the service site for employee use and, if applicable, consumer use, as provided in DPH Rule [511-6-1-.06\(2\)\(h\)](#).

9. Except as provided in subparagraph (4)(a)(10.), supplies and equipment used at the service site shall be cleaned and serviced daily at the catering food service establishment's permitted base of operation. The shared use of facilities or equipment by two separate permit holders is prohibited.

10. A catering food service establishment that services a site, such as a filming location, more than 60 miles from its permitted base of operation for an extended period of time during which a daily return to the base of operation for service and restocking is impracticable, shall:

(i) Utilize an on-site warewashing method for washing, rinsing, and sanitizing utensils and equipment in accordance with DPH Rule [511-6-1-.05\(2\), \(3\), and \(6\)](#), which shall consist of either a portable dish washing trailer or a pre-approved, three-compartment basin system that is large enough to accommodate complete submersion of the largest utensil used at the service site; and

(ii) Maintain and provide to the Health Authority, upon request, written procedures which:

(I) Outline the methods of compliance with DPH Rule [511-6-1-.04\(2\) and \(3\)](#) for deliveries received in the field;

(II) Outline the methods of compliance with DPH Rule [511-6-1-.06\(1\)\(j\)](#) with regard to an alternative water supply;

(III) Outline the methods of compliance with DPH Rule [511-6-1-.06\(4\)\(e\) and \(f\)](#) with regard to proper sewage disposal; and

(IV) Describe how solid waste material and refuse from the food service operation will be stored and handled.

11. When not in use, all mobile catering units, equipment and all other supplies shall be properly stored at the base of operation or other location approved by the Health Authority.

(b) Design and Construction of Mobile Catering Units. Mobile catering units must comply with the requirements for mobile food service units set forth in DPH Rule [511-6-1-.08\(1\)\(a\) through \(e\), \(g\), \(h\), \(j\), and \(k\)](#).

(c) Identification. All mobile catering units used in conjunction with catering operations for which food is prepared all or in part at the service site shall:

1. Display an adhesive sticker provided by the Department indicating that the mobile catering unit has been approved by the Health Authority for catering operations within the State of Georgia. The sticker must be located in a readily visible area on the unit and maintained in good condition; or

2. Maintain and provide to the Health Authority, upon request, a copy of the catering food service establishment's permit, which shall list the Vehicle Identification Number for each mobile catering unit used by the permit holder for the catering operation.

(d) Catering Location. A catering food service establishment shall maintain a record of each catering operation, including date, location, and menu, for at least six months after the catering operation takes place. Such records shall be provided to the Health Authority upon request.

(e) Inspections.

1. The Health Authority in the county that issued a permit to the catering food service establishment shall be responsible for conducting inspections in accordance with DPH Rule [511-6-1-.10\(2\)](#).

2. The Health Authority in a county where a service site is located shall be authorized to enter any catering operation, at any reasonable time and upon proper identification, for the purpose of conducting a complaint investigation. Any food safety Risk Factor violations shall be immediately corrected on-site; and, if an imminent health hazard is discovered, food service operations may be temporarily suspended by the local Health Authority until the imminent health hazard is corrected. The permit holder shall be entitled to appeal any such suspension to the local District Health Director in accordance with DPH Rule [511-6-1-.10\(1\)\(b\)](#).

3. Upon completion of the complaint investigation, the person in charge shall sign the report form provided by the local Health Authority. The signature of the person in charge shall not necessarily indicate agreement with any findings noted during the complaint investigation. A copy of the signed report shall be given to the person in charge

and a copy shall be sent to the Health Authority in the county that issued the permit. A score shall not be given for a complaint investigation conducted in a county where a service site, but not the permitted base of operation, is located; however, blatant or repeated food safety compromises found during such complaint investigations may lead to permit suspension or revocation by the Health Authority in the county that issued the permit.

(5) "Pop-Up" Food Service Operations.

(a) Food service establishments participating in "pop-up" food service operations shall fully comply with the requirements of DPH Rules [511-6-1-.03](#) through .07 in addition to the following:<sup>P</sup>

1. Unless the food service establishment is already permitted for catering operations, it must obtain a letter of approval from the Health Authority prior to engaging in "pop-up" food service operations.
2. A food service establishment participating in a "pop-up" food service operation shall operate from its permitted base of operation.<sup>P</sup>
3. A food service establishment shall not operate more than 3 hours in one day at any "pop-up" location without first obtaining a mobile food service vending permit, and shall be limited to no more than 2 days per calendar week at any one "pop-up" location.
4. Only ready-to-eat foods that have been prepared, cooked, and properly containerized for transport at the permitted base of operation may be served and sold at the "pop-up" location.
5. Time/Temperature Control for Safety (TCS) foods to be served and sold at the "pop-up" location must be maintained at the following temperatures during transport and kept in approved NSF certified containers:
  - (i) 41°F or less if held cold;<sup>P</sup> or
  - (ii) 135°F or more if held hot.<sup>P</sup>
6. All food shall be protected from coughing, sneezing, customer handling, or other contamination through the use of effective barriers such as wrapping or food shields. Condiments shall be dispensed in single-service type packaging, in pump-style dispensers, or in protected squeeze bottles, shakers, or similar dispensers which prevent contamination of the food items by food employees, consumers, insects, or other sources.<sup>P</sup>
7. "Pop-up" food service operations shall provide only individually wrapped single-service tableware for use by the consumer.<sup>Pf</sup>
8. No cooking equipment shall be allowed at the "pop-up" food service location. Hot-holding and cold-holding equipment shall be limited to steam or hot water heating equipment or refrigerated equipment that meets the requirements of this Chapter. With the approval of the Health Authority, accessory components such as hard plastic coolers that are NSF listed or certified for commercial use and contain sufficient ice for cold TCS foods may be used; however, packaged or wrapped food shall not be stored in contact with water or undrained ice, except for commercially packaged beverages such as canned or bottled soda or water.<sup>Pf</sup>
9. A food service establishment participating in a "pop-up" food service operation shall bring an adequate supply of clean and sanitized food service equipment and utensils and store them at the "pop-up" location in a way that ensures they are protected from contamination. Only food service equipment and utensils that belong to the permitted food service establishment operating at the "pop-up" location shall be used by that food service establishment during the operation. At no time shall food service equipment or utensils be shared between food service establishments.<sup>Pf</sup>
10. Adequate handwashing facilities are required at the "pop-up" location and shall consist of at least a catch bucket, a pressurized or gravity fed supply of warm water at least 100°F, soap, individual paper towels, and a waste receptacle that is conveniently located for use by food employees at the "pop-up" location. Wastewater from the "pop-up" food service operation shall be disposed of according to law.<sup>Pf</sup>

11. Copies of the permit and the current inspection report for the food service establishment's base of operation must be displayed for public view at the "pop-up" food service location.

12. Inspections of "pop-up" food service operations may be conducted as often as necessary to ensure compliance with this Rule.

13. Except for unopened commercially packaged beverages, food not sold or consumed at the "pop-up" location shall not be used as an ingredient in another food or be offered for re-service or sale to another consumer. All food from a "pop-up" food service operation shall be discarded to waste after service at the "pop-up" location has concluded for that day.<sup>P</sup>

(b) The facilitator of a "pop-up" food service operation shall obtain a letter of approval from the local Health Authority for the "pop-up" location by providing the following information at least ten business days prior to the anticipated date of operating at the selected "pop-up" location:

1. The name, title, address, and telephone number of the person directly responsible for the management of the facilitator;

2. The address of the proposed "pop-up" food service operation;

3. The method, such as an electronic ticket or other tracking method, that will be used to identify patrons purchasing food at the "pop-up" location for trace back purposes in the event of a foodborne illness;

4. A statement signed by the facilitator or authorized agent that:

(i) Attests to the accuracy of the information provided in the application; and

(ii) Affirms that the applicant will fulfill the obligations of a facilitator as outlined in this subsection; and

5. If the facilitator is not the owner of the proposed location of the "pop-up" food service operation, a written statement signed by the owner or authorized agent of the proposed location, giving permission for the "pop-up" food service operation to take place;

(c) A "pop-up" food service operation shall not take place in a location where the food is subject to overhead or environmental contamination,<sup>Pf</sup> or in a building which serves a highly susceptible population. A "pop-up" food service operation shall comply with all applicable regulations and ordinances, including access to toilet facilities which meet the requirements of DPH Rule [511-6-1-.06\(2\)\(h\)](#).

(d) The local Health Authority shall be notified prior to any change in the facilitator of a "pop-up" food service operation.

(e) The facilitator shall maintain and make available to the local Health Authority, upon request, a list of the food service establishments participating in the "pop-up" food service operation, which shall include:

(i) the address and food service permit number of each food service establishment;

(ii) the dates and times of operation for each food service establishment at the "pop-up" location; and

(iii) the menu of foods offered by each food service establishment at the "pop-up" location.

(f) The local Health Authority may, in its discretion, suspend or revoke a letter of approval for a "pop-up" food service operation if it is determined that the requirements of this Rule have not been met.

**Cite as** Ga. Comp. R. & Regs. R. 511-6-1-.08

**AUTHORITY:** O.C.G.A. §§ [26-2-373](#), 379, 31-2A-6.

**HISTORY:** Original Rule entitled "Special Food Service Operations" adopted. F. Oct. 9, 2015; eff. Oct. 29, 2015.

**Amended:** F. July 24, 2018; eff. August 13, 2018.

**Amended:** F. Oct. 1, 2018; eff. Oct. 21, 2018.

**Amended:** F. Sep. 25, 2020; eff. Oct. 16, 2020, as specified by the Agency.

**Amended:** F. Jan. 25, 2023; eff. Feb. 24, 2023, as specified by the Agency.

**Note:** Rule [511-6-1-.08](#), the incorrect Rule was posted on the Rules and Regulations website February 4, 2023 through April 23, 2023, due to an administrative error. The correct Rule, as filed on January 25, 2023, was updated on the Rules and Regulations website on April 24, 2023; the original filed and effective dates (i.e., F. Jan. 25, 2023; eff. Feb. 24, 2023, as specified by the Agency.) were retained. Effective April 20, 2023.

### **511-6-1-.10 Inspections and Compliance Procedures**

(1) Suspension or Revocation of Permits. The Health Authority shall have the power to suspend or revoke a permit if the permit holder is unwilling or unable to comply with these regulations, the regulations of the local Health Authority, the provisions of O.C.G.A. Section [26-2-370](#) et seq., or if a violation is not corrected within a reasonable time. The notice of suspension or revocation shall be in writing and shall state the reasons in support of the action. The notice shall be delivered to the permit holder by mail or in person or, if the permit holder cannot be located, by tacking a copy to the front door of the food service establishment and mailing a copy to the permit holder's last known address.

(a) There shall be a rebuttable presumption that a permit holder is unwilling or unable to comply if he or she refuses to allow the Health Authority to enter upon and inspect the premises of the food service establishment at any reasonable time and in a reasonable manner, or if any particular violation is found to be uncorrected upon the third consecutive inspection.

(b) Except as specified in DPH Rule [511-6-1-.03\(2\)\(n\)](#), a permit may be summarily suspended upon the discovery of an imminent health hazard. The permit holder may seek immediate review of a summary suspension by written request to the District Health Director. The matter shall be heard by the District Health Director, or a supervisory level employee designated by the District Health Director who was not personally involved in the inspection, acting as a review official. The Health Authority shall make every effort to arrange a hearing within 72 hours of the request. The hearing shall be conducted informally and without application of the rules of evidence. Both the inspector and the permit holder shall be given an opportunity to present any arguments or evidence in support of their positions. The review official may uphold the summary suspension, or may modify or lift the suspension on such conditions as may be appropriate.

(c) In lieu of suspension or revocation of a permit, the Health Authority may in its discretion allow a food service establishment to voluntarily close all or part of the premises until such time as violations are corrected, and upon such additional restrictions as the Health Authority may deem appropriate.

(d) The permit holder may appeal any suspension or revocation to the Department in accordance with O.C.G.A. Section [31-5-3](#) by sending written notice within ten days, by certified mail or statutory overnight delivery, addressed to the Department of Public Health, Office of General Counsel, with a copy to the Health Authority official that suspended or revoked the permit. Within ten days of receiving the notice, the Health Authority shall provide the Department with a copy of its entire file on the inspections and actions that led to the suspension or revocation. The Department shall schedule a hearing within 20 days of receiving the notice, and shall decide the matter upon the arguments of the parties and the administrative record.

(e) If operations of a food service establishment are discontinued due to the order or action of the Health Authority, the permit holder shall obtain approval from the Health Authority before resuming operations.



(f) The Health Authority may, in its discretion, allow the owner to voluntarily close all or part of the food service establishment in lieu of suspending or revoking a permit. Such action will not prohibit the Health Authority from taking such further action as it may deem necessary to protect employees or members of the public.

(g) If at any time a mobile food service establishment's permit is no longer in good standing in any jurisdiction, a county may revoke the establishment's authorization to operate in its jurisdiction.

## (2) Inspections.

(a) Risk Categorization. Inspections of a food service establishment shall be conducted based on risk categorization. The risk type shall be determined by the menu items served, the food preparation processes performed, and the previous food safety history in the food service establishment. Each establishment shall be grouped in one of the following categories:

1. Risk Type I. Frequency of inspection will be one time per year for establishments that do not cook any foods. This includes establishments that may reheat commercially precooked ingredients or foods such as hotdogs and sausages;

2. Risk Type II. Frequency of inspection will be two times per year for establishments that cook and/or hold and reheat foods that are prepared onsite; or

3. Risk Type III. Frequency of inspection will be three times per year for establishments that have a required HACCP plan that is deemed in conformance with DPH Rule [511-6-1-.02\(8\)](#). One of these inspections will be a scheduled inspection to meet with the Certified Food Safety Manager.

## (b) Inspection Frequency.

1. The Health Authority shall conduct one or more construction inspections for newly constructed or extensively remodeled establishments to verify that the food service establishment is constructed and equipped in accordance with the approved plans and specifications, and is in compliance with law and this Chapter. In addition, the Health Authority may conduct one or more preoperational inspections to verify compliance with the construction and equipment requirements of this Chapter at the time of a change in the permit holder of an existing food service establishment.

2. An initial inspection will be conducted in an establishment prior to the food permit being issued.

3. To allow the permit holder of the food service establishment sufficient time to fully train employees as specified in of DPH Rule [511-6-1-.03\(3\)\(d\)1](#) and 2, the first routine inspection will be conducted within sixty days after the opening of the establishment; and, it will mark the beginning of the establishment's compliance history with this Chapter.

4. After the first routine inspection, establishments maintaining an "A" food safety grade shall be inspected based on the risk categorization specified in subsection (2)(a)1. through 3. of this Rule.

5. Establishments that receive a "C" or "U" food safety grade will have at least one additional routine inspection added in a twelve month period, and may have more inspections at the discretion of the Health Authority.

6. If an establishment maintains an "A" food safety rating on three consecutive routine inspections, then the Health Authority may, in its discretion, reduce the frequency of routine inspections to one time per year for Risk Type II establishments and to two times per year for Risk Type III establishments.

7. The reduced inspection frequency may continue until the food service establishment incurs a grade of a "B", "C" or "U". The routine inspection frequency will then resume to the number specified for Risk Type, but may be more frequent as deemed necessary for the enforcement of this Chapter by the Health Authority.



(c) Follow-up Inspections. Follow-up inspections may be conducted at anytime at the discretion of the Health Authority, but must be conducted within ten days after an establishment receives a grade "U".

(d) Access.

1. Representatives of the Health Authority, after proper identification, shall be permitted to enter any food service establishment or operation at any reasonable time for the purpose of making inspections and review of pertinent records to determine compliance with this Chapter. Should access be denied, an inspection warrant may be obtained as authorized in O.C.G.A. § [31-5](#), Article 2.

2. If a person denies access to the Health Authority, the Health Authority shall:

(i) Inform the person that:

(I) The permit holder is required to allow access to the Health Authority,

(II) Access is a condition of the acceptance and retention of a food service establishment permit to operate, and

(III) If access is denied, an inspection warrant, issued by the appropriate authority to order access, may be obtained according to law; and

(ii) Make a final request for access.

(e) Inspection of Mobile Food Service Units. The local Health Authority in the county of origin and the local Health Authority in additional counties in which the mobile food service unit operates shall exchange information regarding their inspection of mobile food service establishments. When inspecting a mobile food service unit in a county other than the county of origin, the local Health Authority shall consult the DPH permit and inspection database to find out the violations received during the last inspection of the base of operation. These violations will be noted as violations during the inspection of each mobile food service unit.

(f) Inspection of Mobile Food Service Units outside of the county of origin.

1. The mobile food service establishment may be subject to periodic and unannounced inspections in any outside county where its permit has been recognized. County boards of health shall utilize discretion when inspecting mobile food service establishments that have been authorized to operate in multiple jurisdictions to ensure they are not inspected more frequently than necessary to protect public health and safety. A mobile food service establishment shall allow the county board of health access for inspection when the mobile food service establishment is physically operating in such county.

2. Fees for inspections conducted in outside counties shall be paid in full by the next business day. Failure to pay for inspections in outside counties will result in termination of authorization to operate in that county. The inspection fee shall be limited to the administrative costs incurred by the county to complete the inspection.

3. If any such inspection results in a violation, any outside county shall notify the county of origin and any other counties where the mobile food service establishment is authorized to operate of the violation. Any county where the mobile food service establishment operates may issue a court citation, terminate authorization for the mobile food service establishment to operate in the county, or require implementation of a remediation plan for the violation.

4. A mobile food service establishment shall stay current with its annual inspection fees in its county of origin and shall provide any outside counties where it is authorized to operate proof of currency before operating in that county.

(g) Report of Inspection.

1. The Health Authority shall document on the Department's current approved "Food Service Establishment Inspection Report" form and "Food Service Inspection Report Addendum" form(s):

(i) Administrative information about the food service establishment's legal owner, street and mailing addresses, type of establishment and operation, inspection date, and other information which may include such information as type of water supply and sewage disposal, status of the permit, and personnel certificates that may be required;

(ii) Specific factual observations of violations or other deviations from this Chapter that require correction by the permit holder including:

(I) Failure of the person in charge to demonstrate the knowledge of foodborne illness prevention, application of HACCP principles, and the requirements of this Chapter as specified under DPH Rule [511-6-1-.03\(1\)\(a\) through \(c\)](#),

(II) Failure of food employees, conditional employees, and the person in charge to report a disease or medical condition as specified under DPH Rule [511-6-1-.03\(4\)\(b\)](#),

(III) Nonconformance with Priority items and priority foundation items of this Chapter,

(IV) Failure of the appropriate food employees to comply with or demonstrate their knowledge of the procedural, monitoring, verification, and corrective action practices required by the Health Authority for a variance or HACCP Plan,

(V) Failure of the person in charge to provide records required by the Health Authority for determining conformance with a HACCP plan as specified under DPH Rule [511-6-1-.02\(8\)](#),

(VI) Nonconformance with critical limits of a HACCP plan; and

(iii) The numerical score and equivalent grade, based on debiting the appropriate points for violations and repeat violations of code provisions found or observed during the inspection.

2. Upon the completion of the inspection, the evaluating official shall have the person in charge sign the inspection report form. The person in charge's signature shall not necessarily indicate agreement with the findings noted on the inspection.

(h) Violation Categories.

1. Violations of this Chapter are categorized according to their potential for creating a health risk to the consumer. All violations shall be recorded on the current inspection report and addendum(s). Violations are divided into two categories, Risk Factors/Public Health Interventions (RF/PHI) Categories and Good Retail Practices (GRP) Categories. In addition and for purposes of prioritization of corrective action, items in these categories are designated as priority items, priority foundation items, or core items as defined in DPH Rule [511-6-1-.01](#).

2. Violation of Risk Factors/Public Health Interventions (RF/PHI) categories are prominent on the inspection report because they are vital to preventing foodborne illness. These items are numbered 1 to 9 on the inspection report and divided into Subcategory "1" and "2" as follows:

(i) Subcategory "1" items cover provisions of the code, that when applied would directly prevent, eliminate or reduce hazards to a safe level to protect consumer health. Because the probability of occurrence and severity of a hazard is greater when these provisions are out of compliance, the incidence and impact of foodborne illness is increased and therefore a point value is assigned for a violation of any subcategory "1" item of nine points, and

(ii) Subcategory "2" items cover provisions of the code, that when applied, would indirectly prevent, eliminate or reduce hazards to a safe level to protect consumer health. Because the probability of occurrence and severity of a hazard is lower than subcategory "1" when these provisions are out of compliance, the incidence and impact of foodborne illness is not as great and therefore a point value is assigned for a violation of any subcategory "2" item of four points.

3. Risk Factors and Public Health Interventions (RF/PHI) Categories include:

- (i) Supervision.
- (ii) Employee health, good hygienic practices, preventing contamination by hands.
- (iii) Approved source.
- (iv) Protection from contamination.
- (v) Cooking of time/temperature control for safety foods, consumer advisory.
- (vi) Holding and date-marking of time/temperature control for safety foods.
- (vii) Highly susceptible populations.
- (viii) Chemicals.
- (ix) Conformance with approved procedures.

4. Good Retail Practices (GRP) categories are deemed to be mostly operational and maintenance violations that, if not corrected, increase the potential for causing food borne illness. They are usually designated as core items; however, some may be designated as priority foundation items as defined within DPH Rule [511-6-1-.01](#). A violation of an item in a GRP category constitutes a one to three point deduction from the overall score (maximum 100 points) as shown on the current food services establishment inspection report form.

5. Good Retail Practices Categories (GRP) include:

- (i) Safe food and water, food identification.
- (ii) Food temperature control.
- (iii) Pest and animal control.
- (iv) Prevention of food contamination.
- (v) Proper use of utensils.
- (vi) Utensils, equipment and vending.
- (vii) Water, plumbing and waste.
- (viii) Physical facilities.
- (ix) Other.
- (i) Timely Correction of Violations of Priority Item or Priority Foundation Item and HACCP Plans.

1. Except as specified in paragraph 2 of this subsection, a person in charge shall at the time of inspection correct a violation of a priority item or a priority foundation item of this Chapter and implement corrective actions for a HACCP plan provision that is not in compliance with its critical limit.<sup>PF</sup>

2. Based on the nature of the potential hazard involved and the complexity of the corrective action needed, the Health Authority may agree to or specify a longer time frame, not to exceed:

- (i) 72 hours after the inspection, for the permit holder to correct violations of a priority item; or

(ii) 10 calendar days after the inspection, for the permit holder to correct violations of a priority foundation item or HACCP Plan deviations.

3. Failure to correct these violations to the satisfaction of the Health Authority may result in such emergency action as deemed necessary by the Health Authority including legal actions pursuant to O.C.G.A. § [31-5-9\(a\)](#).

(j) Time Frame for Correction of Core Item Violations.

1. Except as specified in paragraph 2 of this subsection, the permit holder shall correct core items within 72 hours of the food service establishment's receipt of the inspection report or as otherwise directed by the Health Authority. Failure to make timely corrections to the satisfaction of the Health Authority of core items may subject the food service establishment to suspension or revocation of its permit pursuant to DPH Rule [511-6-1-.10\(1\)](#).

2. The Health Authority may approve a compliance schedule that extends beyond the time limits specified under paragraph 1 of this subsection if a written schedule of compliance is submitted by the permit holder and no health hazard exists or will result from allowing an extended schedule for compliance.

(k) Verification and Documentation of Correction.

1. After observing at the time of inspection a correction of a violation of a priority item or priority foundation item or HACCP plan deviation, the Health Authority shall enter the violation and information about the corrective action on the inspection report.

2. As specified under subsection (2)(h)(2) of this Rule, after receiving notification that the permit holder has corrected a violation of a priority item or priority foundation item or HACCP plan deviation, or at the end of the specified period of time, the Health Authority shall verify correction of the violation, document the information on an inspection report or addendum, and enter the report in the Health Authority's records.

(l) Grading Inspections. Inspections will receive a letter grade based on the numerical score as follows:

1. "A". The letter grade "A" means food safety excellence and is applied to a score of 90 to 100.
2. "B". The letter grade "B" means satisfactory compliance and is applied to a score of 80 to 89.
3. "C". The letter grade "C" means marginal compliance and is applied to a score of 70 to 79.
4. "U". The letter grade "U" means unsatisfactory compliance and is applied to a score of 69 or less.

(m) Repeat Violations. A repeat violation means a violation of the same code provision of this Chapter under an item in a Risk Factors/Public Health Interventions (RF/PHI), or Good Retail practices (GRP) category as documented in the previous routine inspection. A repeat violation constitutes the initial point deduction as specified in subsection (2)(h)2. and 4 of this Rule plus an additional two point deduction for one or more repeat violation(s) within a RF/PHI category and one point deduction in a GRP category from the overall score (maximum 100 points). If a violation of the same provision of this Chapter is found in three consecutive routine inspections, then the points will be deducted accordingly and the food service establishment may be subject to suspension or revocation of its permit pursuant to subsection (1)(b) of this Rule.

(n) Follow-up Inspections.

1. A follow-up inspection is a complete inspection conducted as a result of a routine inspection which resulted in a "C" or "U" grade. If a grade of "C" or higher is earned on the follow-up inspection, then at the discretion of the Health Authority no additional follow-up inspections will be required, however, all priority items and all priority foundation items must be corrected as specified under subsection (2)(i)1. through 3 of this Rule.

2. The new score and equivalent grade will be posted on an inspection report during a follow-up inspection. The two previous inspection grades and scores, whether routine or follow-up inspections, will be posted subsequently under "Last Grade, Score and Date" and "Prior Grade, Score and Date" on the inspection report.

(o) Informal Follow-up Inspection. If a follow-up inspection as specified in subsection (2)(n) of this Rule cannot be conducted by the Health Authority, then an informal follow-up may be performed to confirm correction of the violations that were cited on the routine inspection that were not corrected at the time of the inspection. On an informal follow-up inspection, an inspection report addendum(s) will be completed, documenting the violations that have been corrected. It will be noted on the addendum(s) that this was an informal follow-up inspection, and the establishment will keep the same grade that was earned on the previous routine inspection. The addendum(s) will be made available by the food service establishment to the public upon request.

(p) Voluntary Closure.

1. If a food service establishment is graded as a "U" and does not earn at least a grade "C" within ten days of receiving the "U", it may be requested to voluntarily close until all violations are corrected or have its food service permit suspended or revoked according to subsection (1)(b) of this Rule.

2. A food service establishment that is graded as a "U" on two consecutive routine inspections will be asked to voluntarily close until all violations are corrected and/or have enforcement action taken to suspend or revoke the food service permit pursuant to subsection (1)(b) of this Rule

(3) Examination, Condemnation and Public Notice.

(a) Examination of Food. Food may be examined or sampled by the Health Authority when necessary to determine whether it has been adulterated or misbranded.

(b) Condemnation of Food, Hold Order, Justifying Conditions and Removal of Food.

1. The Health Authority may, upon written notice to the owner or person in charge, place a hold order on any food that the Health Authority has probable cause to believe to be unwholesome; originating from an unapproved source; unsafe, adulterated, or not honestly presented; not labeled according to law, or, if raw molluscan shellfish, not tagged or labeled according to law; or otherwise not in compliance with this Chapter. Under a hold order, food shall be moved to a suitable holding area for storage until a hold order release or destruction order is issued. No food subject to a hold order shall be used, served, or removed from the establishment except as specified in paragraph 2 of this subsection. Immediate destruction shall be ordered and accomplished if there is risk to public health.

2. If the Health Authority has reasonable cause to believe that the hold order will be violated, or finds that the order is violated, the Health Authority may remove the food that is subject to the order to a place of safekeeping.

3. The hold order notice shall:

(i) State that food subject to the order may not be used, sold, moved from the food service establishment, or destroyed without a written release of the order from the Health Authority;

(ii) State the specific reasons for placing the food under the hold order with reference to the applicable provisions of this Chapter and the hazard or adverse effect created by the observed condition;

(iii) Completely identify the food subject to the hold order by the common name, the label information, a container description, the quantity, Health Authority's tag or identification information, and location;

(iv) State that the Health Authority may order the destruction of the food if a timely request for reconsideration is not received; and

(v) Provide the name and address of the Health Authority representative to whom a request for reconsideration may be made.

4. If a hold order is sustained upon reconsideration, or if no timely request for reconsideration is made by the permit holder, then the Health Authority may order the permit holder or other person who owns or has custody of the food to bring the food into compliance with this Chapter or to destroy or denature the food under the Health Authority's supervision.

(4) Procedure When Infection is Suspected.

(a) Investigation and Control. The Health Authority shall act when it has reasonable cause to believe that a food employee or conditional employee has possibly transmitted disease; may be infected with a disease in a communicable form that is transmissible through food; may be a carrier of infectious agents that cause a disease that is transmissible through food; or is affected with a boil, an infected wound, or acute respiratory infection, by:

1. Securing a confidential medical history of the food employee or conditional employee suspected of transmitting disease or making other investigations as deemed appropriate; and
2. Requiring appropriate medical examinations, including collection of specimens for laboratory analysis, of a suspected food employee or conditional employee.

(b) Restriction or Exclusion of Food Employee, or Summary Suspension of Permit. Based on the findings of an investigation related to a food employee or conditional employee who is suspected of being infected or diseased, the Health Authority may issue an order to the suspected food employee, conditional employee or permit holder instituting one or more of the following control measures:

1. Restricting the food employee or conditional employee;
2. Excluding the food employee or conditional employee; or
3. Closing the food service establishment by summarily suspending a permit to operate.

(5) Variance.

(a) Modifications and Waivers. The Department may grant a variance by modifying or waiving the requirements of this Chapter if in the opinion of the Department a health hazard or nuisance will not result from the variance. If a variance is granted, the Department shall retain the information specified under subsection 5(b) of this Rule in its records for the food service establishment.

(b) Documentation of Proposed Variance and Justification. Before a variance from a requirement of this Chapter is granted by the Department, the information that shall be provided by the person requesting the variance and retained in the Department's file on the food service establishment includes:

1. A statement of the proposed variance of the Chapter requirement citing relevant rule and subsection numbers;<sup>Pf</sup>
2. An analysis of the rationale for how the potential public health hazards and nuisances addressed by the relevant rules and subsections will be alternatively addressed by the proposal;<sup>Pf</sup> and
3. A HACCP plan if required that includes the information specified under DPH Rule [511-6-1-.02\(8\)](#) as it is relevant to the variance requested.<sup>Pf</sup>

(c) Conformance with Approved Procedures. If the Department grants a variance as specified in subsection (5)(a) of this Rule, or a HACCP plan is otherwise required as specified under DPH Rule [511-6-1-.02\(7\)](#), the permit holder shall:

1. Comply with the HACCP plans and procedures that are submitted and deemed in conformance with DPH Rule [511-6-1-.02\(8\)\(a\) through \(e\)](#) as a basis for the modification or waiver;<sup>P</sup> and

2. Maintain and provide to the Department, upon request, records specified under DPH Rule [511-6-1-.02\(8\)](#) that demonstrate that the following are routinely employed;

- (i) Procedures for monitoring the critical control points,<sup>Pf</sup>
- (ii) Monitoring of the critical control points,<sup>Pf</sup>
- (iii) Verification of the effectiveness of the operation or process,<sup>Pf</sup> and
- (iv) Necessary corrective actions if there is failure at a critical control point.<sup>Pf</sup>

**Cite as** Ga. Comp. R. & Regs. R. 511-6-1-.10

**AUTHORITY:** O.C.G.A. §§ [26-2-373](#), **379**, **31-2A-6**.

**HISTORY:** Original Rule entitled "Inspections and Compliance Procedures" adopted. F. Oct. 9, 2015; eff. Oct. 29, 2015.

**Amended:** F. Jan. 25, 2023; eff. Feb. 24, 2023, as specified by the Agency.

**Note:** Rule [511-6-1-.10](#), correction of non-substantive typographical errors in paragraph (m), subparagraph (n)1. and paragraph (o) as requested by the Agency, "(2)(g)2 and 4" corrected to "(2)(h)2 and 4", "(2)(h) 1 through 3" corrected to "(2)(i)1. through 3", "(2)(m)" corrected to "(2)(n)", respectively. The errors appeared on the Rules and Regulations website February 4, 2023 through April 23, 2023; website updated April 24, 2023 and the original filed and effective dates (i.e., F. Jan. 25, 2023; eff. Feb. 24, 2023, as specified by the Agency.) were retained. Effective April 20, 2023.

## **Department 513. RULES OF PUBLIC RETIREMENT SYSTEMS**

### **Chapter 513-17. GEORGIA DEFINED CONTRIBUTION PLAN**

#### **Subject 513-17-1. RULES OF GENERAL APPLICABILITY**

##### **513-17-1-.01 Organization**

(1) The mailing address of the Georgia Defined Contribution Plan is Two Northside 75, Atlanta, Georgia 30318.

(2) All correspondence respecting rules and regulations consistent with the requirements of Code Section [47-1-10](#) is to be directed to the Director of the Board of Trustees of the Georgia Defined Contribution Plan.

**Cite as** Ga. Comp. R. & Regs. R. 513-17-1-.01

**AUTHORITY:** O.C.G.A. § [47-1-10](#).

**HISTORY:** Original Rule entitled "Organization" adopted. F. Apr. 24, 2023; eff. May 14, 2023.

##### **513-17-1-.02 Membership Eligibility - Retirees of ERS, TRS, GJRS, and LRS**

Retirees of the Employees' Retirement System of Georgia (ERS), Teachers Retirement System of Georgia (TRS), Georgia Judicial Retirement System (GJRS), Legislative Retirement System (LRS), and Georgia Defined Contribution Plan (GDCP) are exempt from mandatory membership while employed in a GDCP eligible position.

**Cite as** Ga. Comp. R. & Regs. R. 513-17-1-.02

**AUTHORITY:** O.C.G.A. § [47-22-4](#).

**HISTORY:** Original Rule entitled "Membership Eligibility - Retirees of ERS, TRS, GJRS, and LRS" adopted. F. Apr. 24, 2023; eff. May 14, 2023.