

Georgia Rules and Regulations

Administrative Bulletin for December 2023

OFFICE OF SECRETARY OF STATE ADMINISTRATIVE PROCEDURE DIVISION

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

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180. STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS	180-7-.07	amended	Nov. 28, 2023	Dec. 18
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290. RULES OF DEPARTMENT OF HUMAN SERVICES	290-2-31-.01 --- 290-2-31-.03	adopted	Nov. 30, 2023	Dec. 20
295. JOINT SECRETARY, PROFESSIONAL LICENSING BOARDS	295-2-.01 , 295-2-.06 , 295-2-.18	amended	Nov. 27, 2023	Dec. 17
391. RULES OF GEORGIA DEPARTMENT OF NATURAL RESOURCES	391-2-4-.04	amended	Dec. 6, 2023	Dec. 26
509. GEORGIA BOARD OF PRIVATE DETECTIVE AND SECURITY AGENCIES	509-2-.02	amended	Nov. 16, 2023	Dec. 6

Department 159. DEPARTMENT OF ECONOMIC DEVELOPMENT

Chapter 159-1. FILM, MUSIC & DIGITAL ENTERTAINMENT DIVISION

Subject 159-1-1. FILM TAX CREDIT

159-1-1-.01 Available Tax Credits for Film or Interactive Entertainment Productions

(1) Purpose. This rule provides guidance concerning the application and qualification guidelines contained within the Georgia Entertainment Industry Investment Act (hereinafter "Act") under O.C.G.A. § [48-7-40.26](#). There are two separate credits made available under the Act: the 20% "Base Tax Credit" and the 10% "Georgia Entertainment Promotion ("GEP") Tax Credit." Each of the two available tax credits requires an independent application and certification.

(2) Coordination of Agencies. The Georgia Department of Economic Development, (hereinafter "GDEcD"), will determine which projects qualify for the base tax credits authorized under the Act; will evaluate and certify marketing opportunities for the GEP Tax Credit; and will certify tax credit applications. The Georgia Department of Revenue (hereinafter "GDOR") is the state agency responsible for determining qualified expenditures and for implementing the proper application of the Film Tax Credits.

(3) Cross-Reference. This rule shall be construed in harmony with the Rules of the Georgia Department of Revenue, Income Tax Division, Chapter 560-7-8, Returns and Collections, Rule [560-7-8-45](#), entitled Film Tax Credit, which governs, among other things, the application of financial thresholds and calculations of the tax credits to be allowed.

Cite as Ga. Comp. R. & Regs. R. 159-1-1-.01

AUTHORITY: O.C.G.A. § [48-7-40.26](#).

HISTORY: Original Rule entitled "Available Tax Credits for Film, Videotape or Digital Media" adopted. F. Mar. 4, 2010; eff. Mar. 24, 2010.

Amended: New title "Available Tax Credits For Film, Video or Interactive Entertainment Production." F. May 6, 2013; eff. May 26, 2013.

Amended: F. Dec. 29, 2020; eff. Jan. 18, 2021.

Amended: New title, "Available Tax Credits for Film or Interactive Entertainment Productions." F. Dec. 15, 2023; eff. Jan. 4, 2024.

159-1-1-.02 Definitions

(1) 'Advertiser Supported Sites' means an internet site used for the delivery and/or exhibition of a Feature Film, Series, Pilot, Movies for Television, Music Video or Interactive Entertainment Project where the viewer is required to view and/or is otherwise exposed to commercial messages or ad-based interruptions during the content stream; but shall not include internet sites where ads appear only on the internet site itself via banners, or only appear prior to the content stream and not during the content stream.

(2) 'Alternative Marketing Opportunities' means GDEcD approved promotions for the state in lieu of the inclusion of the legislated GEP Logo placement in order to receive the 10% uplift.

- (3) 'Applicant' means the Production Company or Qualified Interactive Entertainment Production Company applying to GDEcD for Film Tax Credit certification for a specific Project.
- (4) 'Base Certification Letter' means a letter from GDEcD indicating that the initial requirements to earn the "Base Tax Credit" have been met for the specific project named. The Base Certification Letter shall include a unique credit certificate number.
- (5) 'Commercial Advertisements' means televised announcements sponsoring or promoting ideas, goods, entertainment projects, or services that have achieved Multimarket Commercial Distribution and are aired, broadcast, or streamed via video on demand, including over-the-top broadcasting, subscription video on demand, ad-based video on demand, and transaction video on demand; individual television stations; groups of stations; networks; cable television stations; or public broadcasting stations.
- (6) 'Completed Application' means a submitted application that includes all required information in the form and manner prescribed by GDEcD and as outlined in these Rules. GDEcD will not determine that an Applicant is eligible for certification unless Applicant has submitted a Completed Application that is deemed complete.
- (7) 'Development' means any activity or expenses incurred in order to prepare the project for the preproduction phase of the project or production.
- (8) 'Feature Film' means, but is not limited to, a dramatic, comedic, animated, or documentary film, or high definition digital production with no commercial interruption, and intended for Multimarket Commercial Distribution to motion picture theaters, directly to the home video and/or DVD markets, cable television, premium cable, broadcast television, video on demand, Streaming Services, or Advertiser Supported Sites.
- (9) 'Film Tax Credit' means the tax credits allowed pursuant to the Georgia Entertainment Industry Investment Act, O.C.G.A. § [48-7-40.26](#), as amended.
- (a) The 'Base Tax Credit' means the 20% tax credit for Projects that meet the minimum investment threshold in a qualified production, as certified by GDEcD; and
- (b) The 'Georgia Entertainment Promotion Tax Credit' ("GEP Tax Credit" or "GEP Uplift") means the additional 10% tax credit which may be obtained for projects as outlined in the Act and Rule [159-1-1-.07](#).
- (10) 'Fully Funded' means that the applicant seeking certification can demonstrate with documentary evidence that it has assets that equal or exceed 75% of the total budgeted cost of the project. These assets can be owned by the applicant, provided by a third-party pursuant to a financing or funding agreement, or a combination of the two. GDEcD requires proof that the project is Fully Funded at the time the applicant applies for certification. Such proof may include, but is not limited to, SAG, IATSE, or completion bonds, payroll statements, bank statements, financing or funding agreements; but shall not include letters of intent, letters of interest, oral agreements, non-binding agreements or affidavits.
- (11) 'Game Engine' means the software system or code used to create and develop an interactive game with core functionality that typically includes rendering 2D or 3D graphics, sound, scripting, animation, artificial intelligence, physics, and input.
- (12) 'Game Platform' means the electronic delivery system used to launch or play the interactive game and includes mobile applications.
- (13) 'In whole or in part' means at least one day of qualified production activity for the Project occurred in Georgia.
- (14) 'Interactive Entertainment' means projects produced by Qualified Interactive Entertainment Production Companies in Georgia and, as defined and approved by GDEcD, that meet all of the following requirements:
- (a) Employs electronics including Game Platforms and Game Engines to create an interactive system with which a user can play;

(b) Contains or creates a computer-controlled virtual universe or simulated environment within which an individual using the program may interact to generate visual feedback and achieve a goal within that universe or environment as determined by the player's skill and or luck;

(c) Contains at least three of the following six elements: animated graphical images, static graphic images, sound, text, 2d or 3d geometry, scoring/leaderboard/badges/trophies system;

(d) Are not developed by the Qualified Interactive Entertainment Production Companies for internal use;

(e) Meets the requirement of Multimarket Commercial Distribution via digital platforms.

1. Projects eligible for certification include: game types/categories traditionally found in videogame or retail stores or Internet-based social, casual, serious, and social networking games on mobile, console, computer, smart device and television platforms.

2. Projects not eligible for certification include, but are not limited to the following: Internet sites that do not meet all of the defined requirements of Interactive Entertainment; streamed linear media such as podcasts or audio; interpersonal communications services such as video conferencing, wireless telecommunications, text-based channels, chat rooms, broadcast/streamed viewing enhancements; small-scale games embedded and used exclusively in advertising; and marketing and promotional websites or microsites.

(15) 'Life of the Project' means from the first public screening, release date, or distribution; and continuing through the third tax year following the date on which the final certification for any project related tax credit was issued.

(16) 'Multimarket Commercial Distribution' means paid commercial distribution with media buys which extend to multiple markets outside the State of Georgia.

(17) 'Music Video' means a filmed or digitally recorded song, often portraying musicians performing the song or including visual images interpreting the lyrics.

(18) 'Pilot' means the initial episode produced for a proposed Series.

(19) 'Preproduction' means the process of preparation for actual physical production in Georgia, and is considered to begin with the establishment of a dedicated commercial production office, the hiring of key crew members including a Unit Production Manager and/or Line Producer, and includes, but is not limited to, activities such as location scouting, hiring of crew, construction of sets, etc. Preproduction does not include the process of 'Development'.

(20) 'Principal Photography' means principal ongoing filming within Georgia of significant portions of a qualified Project that involves the main lead actor(s) and the director and which is intended to be incorporated into the final product. Additional criteria include the presence of members of the first unit production team; or scenes in which lines of dialogue are spoken; and does not include camera tests, the filming of primarily backgrounds or introductory shots, visual effects, action, and/or crowd scenes by the second, stunt, or visual effects unit. In the case of animation projects, it means the time from when the script is finalized and continues through the finalization of animatics.

(21) 'Principal Photography Start Date' means the first date within Georgia of Principal Photography.

(22) 'Production Company' means a company that is primarily engaged in qualified production activities which have been approved by GDEcD.

(23) 'Project' means a single Feature Film, Television Film, Pilot, Interactive Entertainment project, Televised Commercial Advertisement, Music Video, or one season or episode of a Series, as certified by GDEcD.

(24) 'Qualified Interactive Entertainment Production Company' means a company that satisfies the requirements of O.C.G.A. § [48-7-40.26\(b\)\(10\)](#) and which is primarily engaged in qualified production activities related to Interactive Entertainment which has been approved by GDEcD. "Primarily engaged" means a company whose gross income

from qualified production activities related to Interactive Entertainment Projects which have been approved by GDEcD exceeds 50% of its total gross income for its taxable year or whose expenses from qualified production activities related to Interactive Entertainment Projects which have been approved by GDEcD exceeds 50% of its total expenses for its taxable year.

(25) 'Series,' which may also be known as episodic programming, means a production intended in its initial run for broadcast on television or streaming.

(26) 'Streamed' or 'Streaming' means video content sent in compressed form over the Internet and displayed by the viewer in real time.

(27) 'Streaming Service' means a subscription based service that delivers content on demand via an internet connection to the subscriber's computer, TV, or mobile device and can include Advertiser Supported Sites.

(28) 'Television Film,' which may also be known and referred to herein as a 'Movie of-the-Week,' 'MOW,' 'Made for Television Movie,' 'TV Movie', means a Feature Film intended for broadcast on network/cable television or streaming.

(29) 'Uplift Certification Letter' means a letter from GDEcD electronically certifying that a project has met the requirements to earn the "GEP Tax Credit" including that the project achieved multimarket commercial distribution in multiple markets within five years of the date that the first Base Certification Letter was issued, and that the applicant has provided proof of the same. The Uplift Certification Letter shall include a unique credit certificate number.

(30) 'Work for Hire' means an arrangement whereby one Production Company contracts with another Production Company to engage in qualified production activities pursuant to a production services agreement. Merely financing or providing funding to a Production Company does not make the financing/funding company the "hiring" company for purposes of the Film Tax Credit. In the instance of co-productions, the applicant company must provide a written agreement to GDEcD, signed by both production companies, that identifies which party will be entitled to earn and claim the tax credit. In the instance of a work-for-hire, the hired company will not be eligible for the Film Tax Credit.

Cite as Ga. Comp. R. & Regs. R. 159-1-1-.02

AUTHORITY: O.C.G.A. § [48-7-40.26](#).

HISTORY: Original Rule entitled "Definitions" adopted. F. Mar. 4, 2010; eff. Mar. 24, 2010.

Amended: F. May 6, 2013; eff. May 26, 2013.

Amended: F. Dec. 4, 2017; eff. Dec. 24, 2017.

Amended: F. Mar. 5, 2018; eff. Mar. 25, 2018.

Amended: F. Dec. 29, 2020; eff. Jan. 18, 2021.

Amended: F. June 18, 2021; eff. July 8, 2021.

Amended: F. Dec. 15, 2023; eff. Jan. 4, 2024.

159-1-1-.03 Film Tax Credit Certification-General

(1) State Certified Production.

(a) Project Certification Requirement. Prior to claiming any Film Tax Credit, each new Feature Film, Pilot, Series, TV Movie, Music Video, Commercial Advertisement or Interactive Entertainment project must be certified as

meeting the guidelines and the intent of the Act. Each Applicant must apply for a single Project, and GDEcD will only render a decision on a Completed Application if the Applicant can show the Project is Fully Funded. Certification shall not be used to secure funding. Certification applications for all projects shall be submitted electronically to GDEcD. Projects eligible to receive the Base Tax Credits are Feature Films, Television Films, Series, Pilots, Commercial Advertisements, Music Videos, and Interactive Entertainment Projects, as defined and approved by GDEcD. Applicants will be required to provide budget information, funding sources, distribution agreements, production schedules, call sheets, personnel information, and any other documentation to supplement its Completed Application as requested by GDEcD. Only one Production Company may claim the tax credit, per project.

The maximum total tax credits allowed for Qualified Interactive Entertainment Production Companies is \$1.5 million per taxable year for a single company and the maximum total tax credits allowed among all Qualified Interactive Entertainment Production Companies is \$12.5 million. The Commissioner of Revenue shall preapprove applications for Interactive Entertainment tax credits based on a first come, first serve basis. GDEcD certification of Interactive Entertainment projects does not guarantee that credits will be available.

(b) Projects Ineligible for Certification. Certain Projects do not qualify for the Film Tax Credit including, but not limited to, the following:

1. Live or prerecorded broadcast of athletic events;
2. Live or prerecorded news or current affairs programming covering news that has recently occurred or is ongoing at the time of the broadcast;
3. Local interview or talk shows or other local interest programming not intended for Multimarket Commercial Distribution;
4. Projects and content that were not created in whole or in part in Georgia, or content that is primarily post-production in nature;
5. Website development;
6. Corporate marketing, industrial, or training productions;
7. Any productions in violation of Title 16 Chapter 12 of the state's Obscenity Statute;
8. Sole platform arcade video games;
9. Small scale games embedded and used exclusively in advertising, marketing and promotional websites or microsites;
10. Infomercials, Infotainment, or Solicitation-based productions;
11. Certain instructional or how-to content and programming, as determined by GDEcD;
12. Political or Editorial-based content programming;
13. Projects that do not meet the requisite base investment requirement;
14. Marketing or political campaigns;
15. Internet sites and digital media projects that do not meet all of the defined requirements of Interactive Entertainment;
16. Interpersonal communications services such as video conferencing, wireless telecommunications, text-based channels, chat rooms, or broadcast/streamed viewing enhancements.

17. Film or television Projects created for a limited audience, including, but not limited to museum presentations;
18. Film, interactive entertainment, or other programs intended primarily for industrial, corporate or institutional end-users, including for training purposes;
19. Any Project that does not adhere to industry standards;
20. Any Project where filming is merely incidental or ancillary to the primary purpose of the Project, such as live concerts or events;
21. Projects not intended for Multimarket Commercial Distribution via theaters, video on demand, direct to DVD, digital platforms designed for the distribution of interactive games, licensing for exhibition by individual television stations, groups of stations, networks, advertiser supported sites, cable television stations, or public broadcasting stations; and
22. The creation of phone, tablet or desktop apps that do not meet the defined requirements of Interactive Entertainment.

(c) Base Certification Letters. After a Completed Application is submitted and reviewed by GDEcD, GDEcD will electronically send Applicants a Base Certification Letter with a project certification number where Projects meet the certification requirements. GDEcD shall use reasonable efforts to make a certification decision on a Completed Application, and, if appropriate, provide the Base Certification Letter to the Applicant within sixty (60) days of the receipt of the Completed Application. If an Applicant does not receive a Base Certification Letter from GDEcD within this sixty (60) day period, and, during that 60-day period, does not receive any electronic communication from GDEcD regarding any necessary supplementation of the Completed Application, the Applicant may deem its application denied, and begin the appeals process outlined in Rule [159-1-1-.08](#).

Applicants that voluntarily withdraw Base Tax Credit applications prior to a decision by GDEcD may reapply for the same project in the future. Projects that are denied and fail to appeal within the thirty (30) day timeframe for filing appeals cannot reapply. In the instance of co-productions, the applicant company must provide a written agreement to GDEcD, signed by both production companies, that identifies which production company will be entitled to earn and claim the film tax credit. In the instance of a work-for-hire, the work-for-hire company is not eligible for the Film Tax Credit.

If a Feature Film, Pilot, Series, TV Movie, Music Video, or Commercial Advertisement is certified, but does not begin filming within thirty (30) days of the Principal Photography Start Date identified in the Completed Application and does not notify GDEcD of a change in schedule, a retraction of the Base Certification Letter may be issued. Any material changes to the information provided in the Completed Application must be made in writing to GDEcD within thirty (30) days from the date of the material change.

Cite as Ga. Comp. R. & Regs. R. 159-1-1-.03

AUTHORITY: O.C.G.A. § [48-7-40.26](#).

HISTORY: Original Rule entitled "Film Tax Credit Certification" adopted. F. Mar. 4, 2010; eff. Mar. 24, 2010.

Amended: F. May 6, 2013; eff. May 26, 2013.

Amended: F. Dec. 4, 2017; eff. Dec. 24, 2017.

Amended: F. Mar. 5, 2018; eff. Mar. 25, 2018.

Amended: F. Dec. 29, 2020; eff. Jan. 18, 2021.

Amended: F. June 18, 2021; eff. July 8, 2021.

Amended: New title, "Film Tax Credit Certification-General." F. Dec. 15, 2023; eff. Jan. 4, 2024.

159-1-1-.04 Base Tax Credit Certification Application Process

(1) For all Feature Film, Series, Pilots, TV Movie, Commercial Advertisement and Music Video Projects to be considered for approval, Production Companies must submit a Completed Application. For Projects with estimated Project budgets under \$100 Million, the Completed Application must be submitted not earlier than one hundred twenty (120) days prior to the Principal Photography Start Date and no later than seven (7) calendar days after the Principal Photography Start Date. For Projects with estimated Project budgets over \$100 Million, the Completed Application must be submitted not earlier than one hundred eighty (180) days prior to the Principal Photography Start Date and no later than seven (7) calendar days after the Principal Photography Start Date.

(2) (a) A Completed Application must include:

1. An online application form that has been entirely filled in without blanks or placeholders-such as "TBD", and identifies if the application is for the Base Tax Credit, the GEP Uplift Tax Credit, or both;
2. Documentary evidence that the Project is Fully Funded;
3. A shooting script (except in the case of unscripted or reality projects), synopsis, or story boards, whichever is applicable;
4. Media buy (for Commercials only); and
5. Song lyrics (for Music Videos only).

(b) For Commercial Advertisements only, GDEcD may hold applications open for a period of one (1) year from the date on which the application is submitted in order to allow the Production Company to secure the media buy. In this case, no certification decision will be rendered until the application is completed.

(3) For all Interactive Entertainment Projects, Qualified Interactive Entertainment Production Companies shall first submit an application to the commissioner of GDOR for preapproval of tax credits. Once GDOR approval is received, but no later than December 31 of the fund year for which GDOR approval was received, Qualified Interactive Entertainment Production Companies must submit a Completed Application to GDEcD.

a. A Completed Application must include:

- i. An online application form that has been entirely filled in without blanks or placeholders-such as "TBD", and identifies if the application is for the Base Tax Credit, the GEP Uplift Tax Credit, or both;
- ii. Form IT-QIEPC and the approved Form IT-QIEPC-AP for the current fund year;
- iii. Documentary evidence that the Project is Fully Funded;
- iv. A detailed synopsis of the Interactive Entertainment Project, including the architecture, navigation, and story plotlines, as well the proposed scope of work that will be undertaken on the Interactive Entertainment Project during the fund year for which approval was sought; and
- v. A final staff list, including contact information.

b. Interactive Entertainment Projects must apply to GDEcD for certification within the fund year that they are approved by GDOR, regardless of whether the Qualified Interactive Entertainment Production Company had previously sought certification for the same Interactive Entertainment Project in prior fund years. The information included on the Completed Application shall pertain to the work completed or intended to be completed by the

Qualified Interactive Entertainment Company on the Interactive Entertainment Project for the fund year in which a certification letter is sought.

(4) Production Companies should strive to complete each Project within a single tax year. However, for a Project that is not completed within the Production Company applicant's tax year (on either a fiscal year or calendar year basis, as identified in the Completed Application), the Production Company must apply for a new project certification in each successive tax year during which qualified production activities take place. A Production Company must obtain a Base Certification Letter for each Project for each year in which it claims tax credits. Each Project shall not span more than two tax years, unless GDEcD provides prior written approval. A Production Company seeking a Base Certification Letter for a second tax year must provide proof that qualified production activity was ongoing in the second year. GDEcD shall not issue additional certification letters for deferred or delinquent payments that carried over from the first tax year. This two-tax year limitation for each Project shall not apply to projects for animation or Interactive Entertainment. This two-tax year limitation applies to all multi-year entertainment productions that qualify for the Film Tax Credits including, but not limited to, Feature Films, TV Movies, or Series.

(5) Following receipt of a Completed Application, GDEcD may request additional supporting documentation as outlined in Rule [159-1-1-.03\(1\)\(a\)](#) to verify Project details. Once GDEcD determines a Project is eligible for certification, GDEcD will electronically provide a Base Certification Letter.

(6) Projects that are not completed within the timeframe provided on the Completed Application, or that are postponed for an extended period, and do not notify GDEcD of the material change in schedule within 30 days may have their Base Certification Letter retracted at GDEcD's sole discretion.

(7) All Feature Film, Series, Pilots, TV Movies, Commercial Advertisements and Music Video Project Applicants that receive the Base Certification Letter are required to submit the following:

(a) Within ninety (90) days of the completion of Principal Photography, a Production Company must provide proof that the Project was recorded in whole or in part in Georgia. Such proof shall include the following:

1. Final crew list, including contact information;
2. Final vendor list, including contact information;
3. Final locations list, including a physical address and location contact information;
4. Signed call sheet from the first day of Principal Photography; and
5. Final Shooting Schedule.

(b) Within ninety (90) days following the last qualified Georgia expenditure, the Production Company shall provide a completed Georgia Expenditures Report.

(c) For Film, Series, TV Movies, and Pilot Projects, at least 5 days prior to the Project's release, the Production Company shall provide to GDEcD at least five (5) production still photos, three (3) promotional posters for the Project, and agreed upon alternative marketing materials, if applicable, all with adequate licensing rights to permit GDEcD to use the provided production stills, posters, and/or alternative marketing materials for promotion of the film industry in Georgia.

(8) A Production Company's, or Interactive Entertainment Production Company's, failure to provide any of the above listed supporting materials may result in the retraction of the Base Certification Letter for the Project.

(9) Any misrepresentation or material change of Project information without written notification to GDEcD or GDOR or the submission of project documentation that does not adhere to industry standards may result in denial or revocation of certification.

Cite as Ga. Comp. R. & Regs. R. 159-1-1-.04

AUTHORITY: O.C.G.A. § [48-7-40.26](#).

HISTORY: Original Rule entitled "Film Tax Credit Certification Application Process" adopted. F. Mar. 4, 2010; eff. Mar. 24, 2010.

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Amended: New title "Base Tax Credit Certification Application Process." F. Dec. 29, 2020; eff. Jan. 18, 2021.

Amended: F. June 18, 2021; eff. July 8, 2021.

Amended: F. Dec. 15, 2023; eff. Jan. 4, 2024.

159-1-1-.05 Georgia Entertainment Promotion Tax Credit Application Process

(1) The GEP Tax Credit is available only for Projects specified in Rule [159-1-1-.07](#) below, where such Projects also comply with the requirements of this Rule [159-1-1-.05](#), have been approved and certified by GDEcD for the Base Tax Credit, and achieve multimarket commercial distribution within five (5) years from the date that the initial Base Certification Letter was issued.

(2) GEP Tax Credit certification applications must be submitted to GDEcD as part of a Completed Application if the Applicant intends to pursue the GEP Tax Credit. In order to be eligible for the GEP Tax Credit, projects must include the GEP Logo and a link to <http://www.georgia.org/film> on the Project's promotional website as outlined in O.C.G.A. § [48-7-40.26](#), starting from any point of initial public screening, distribution, or release. Production Companies must submit proof of compliance with statutory requirements to GDEcD. In lieu of GEP Logo placement and a link to the website, Production Companies may offer Alternative Marketing Opportunities of equal or greater marketing value to the State, subject to GDEcD approval of the selected Alternative Marketing Opportunities. Production Companies must elect whether to include the GEP Logo or pursue the Alternative Marketing Opportunity at the time the Production Company submits a Completed Application for the Project. The GEP Logo and link to the website may not be used in a Project without GDEcD's prior written approval. Projects that are not eligible or approved for the GEP Tax Credit may still be eligible for the Base Tax Credit.

(3) If a Production Company or Qualified Interactive Entertainment Production Company elects to use the GEP Logo placement to satisfy the requirements for the GEP Tax Credit, then the Production Company or Qualified Interactive Entertainment Production Company shall submit to GDEcD digital evidence to verify the appropriate placement of the GEP Logo in the Project not earlier than following the receipt of the Base Certification Letter, and no later than five (5) days before the Project is distributed. If the publically released version of the Project contains a different and incorrect placement of the GEP Logo, GDEcD may retract or deny certification of the GEP Tax Credit.

(4) Once the Project has been distributed, the Production Company shall submit the GEP Distribution Form verifying that distribution occurred within five (5) years from the date that the initial Base Certification Letter was issued.

(5) Following GDEcD's verification that the GEP Logo placement is correct or that the Alternative Marketing Opportunities have been fulfilled, and verification that the Project has been distributed, GDEcD will issue the Uplift Certification Letter. If a Production Company seeking the GEP Tax Credit fails to fulfill all of the obligations of the GEP Logo and link, or the Alternative marketing agreement, or, if the Production Company fails to provide the GEP Distribution form verifying distribution to GDEcD within five (5) years from the date that the initial Base Certification Letter was issued, the project shall not be eligible for the GEP Tax Credit. In the case of projects that

have Base Certification Letters issued for multiple tax years, the five (5) year period in which the Project must be distributed shall begin from the date of the initial Base Certification Letter for the project.

(6) For Feature Film, Series, Pilot, TV Movie, Music Video or Interactive Entertainment Projects that opt to include the GEP Logo and a link to <http://www.georgia.org/film> on the promotional website as outlined in O.C.G.A. § [48-7-40.26](#), GDEcD will make available various versions of the GEP Logo and the link to each qualified GEP Tax Credit applicant at no charge. GDEcD will only provide the GEP Logo to applicants that GDEcD has certified as being eligible to receive the GEP Tax Credit. Production Companies or Qualified Interactive Entertainment Production Companies may not use the GEP Logo in a Project without prior written GDEcD approval. Furthermore, it is required that each qualified GEP Tax Credit applicant utilizing the logo to fulfill the GEP Tax Credit requirements submit proof of the required placement of the GEP Logo in the completed Feature Film, Series, Pilot, TV Movie, Music Video, or Interactive Entertainment Production to GDEcD at least five (5) days prior to the Project's distribution. In the instance of any project distributed via a Streaming Service, the GEP logo shall automatically appear in the end credits in accordance with the requirements outlined in O.C.G.A. § [48-7-40.26](#) and these rules, and shall not require the viewer to take any action, such as selecting "watch end credits" or some other similar selection, to view the GEP logo as a result of the Streaming platform automatically proceeding to the next episode, preview, or production. In the event that the GEP logo is only viewable if the viewer has to take action to stop the automatic proceeding to the next episode, preview or production, such logo placement shall not serve to meet the eligibility requirements for the GEP Tax Credit.

(7) If the inclusion of the GEP Logo or link to <http://www.georgia.org/film> is prohibited by the Children's Television Act, or any other local, state or federal government policy, or if the Production Company or Qualified Interactive Entertainment Production Company cannot, for any reason, fulfill the placement requirements, GDEcD, under the Alternative Marketing Opportunities, will offer acceptable alternatives to allow the GEP Tax Credit to the applicant and the greatest level of promotion for the State of Georgia. The GEP Logo or agreed upon alternative marketing must be utilized for the Life of the Project, beginning with the first public screening or initial distribution.

(8) If the GEP Logo or agreed upon alternative marketing promotion has not been fulfilled prior to the Project's distribution, which in no event shall be later than five (5) years from the date that the first Base Certification Letter was issued, the Project will not be eligible for the GEP Tax Credit. Both logo requirements and Alternative Marketing Opportunities must be for the Life of the Project, beginning with the first public screening or initial distribution. However, GDEcD's ability to retract certification is limited by the applicable statute of limitations for assessing income tax for any claiming or carryover year, or in the instance of audited productions, by the prohibition on recapturing credits from transferees or purchasers.

Cite as Ga. Comp. R. & Regs. R. 159-1-1-.05

AUTHORITY: O.C.G.A. § [48-7-40.26](#).

HISTORY: Original Rule entitled "Qualified Productions & Production Activities" adopted. F. Mar. 4, 2010; eff. Mar. 24, 2010.

Amended: F. May 6, 2013; eff. May 26, 2013.

Amended: F. Dec. 4, 2017; eff. Dec. 24, 2017.

Amended: F. Mar. 5, 2018; eff. Mar. 25, 2018.

Amended: F. Dec. 29, 2020; eff. Jan. 18, 2021.

Amended: F. June 18, 2021; eff. July 8, 2021.

Amended: New title, "Georgia Entertainment Promotion Tax Credit Application Process." F. Dec. 15, 2023; eff. Jan. 4, 2024.

159-1-1-.06 Qualified Productions & Production Activities

(1) The Base Tax Credit is available to all qualified and certified Projects.

(2) Production Companies that act as a conduit to enable other production companies' projects to qualify for the Film Tax Credit that would not otherwise be eligible on their own will not be certified for Film Tax Credits. Work-for-hire service companies, including postproduction houses, catering companies, equipment rental houses, and motion picture laboratories are not eligible to receive the Film Tax Credit, but the Production Companies employing them may include these expenditures as part of their project expenses.

(3) Qualified Interactive Entertainment Production Companies designing platforms for outside game developers are not eligible for the Film Tax Credit; however, the studio that buys these platforms from a Georgia vendor may claim them as an expense toward the production of an Interactive Entertainment project.

(4) Expenditures incurred in Georgia for postproduction are qualified only on the portion of the project that was shot, recorded, or originally created in the state. Postproduction of footage shot outside the state is not a qualified production expenditure under O.C.G.A. § [48-7-40.26](#).

(5) Expenditures for the Development phase of projects do not qualify for the Film Tax Credit. Projects must have entered 'Preproduction' in order for expenditures to qualify for the Film Tax Credit.

(6) Qualified Commercial Advertisements are eligible for the Base Tax Credit; however, such Commercial Advertisements are not eligible for the GEP Tax Credit.

Cite as Ga. Comp. R. & Regs. R. 159-1-1-.06

AUTHORITY: O.C.G.A. § [48-7-40.26](#).

HISTORY: Original Rule entitled "Georgia Entertainment Promotion Tax Credit" adopted. F. Mar. 4, 2010; eff. Mar. 24, 2010.

Amended: F. May 6, 2013; eff. May 26, 2013.

Amended: F. Dec. 4, 2017; eff. Dec. 24, 2017.

Amended: F. Mar. 5, 2018; eff. Mar. 25, 2018.

Amended: F. Dec. 29, 2020; eff. Jan. 18, 2021.

Amended: F. June 18, 2021; eff. July 8, 2021.

Note: Correction of administrative typographical error in Rule History only, in July 2021 the original Rule title was cited as "Qualified Productions & Production Activities", error discovered in December 2023 and title corrected to "Georgia Entertainment Promotion Tax Credit" (i.e., as originally f. Mar. 4, 2010; eff. Mar. 24, 2010). Effective January 4, 2024.

Amended: New title, "Qualified Productions & Production Activities." F. Dec. 15, 2023; eff. Jan. 4, 2024.

159-1-1-.07 Qualified Productions for GEP Tax Credit

(1) 'Qualified Movie Production' means a Feature Film for which GDEcD granted GEP Tax Credit certification. Feature Films must include a shooting script or synopsis, as applicable, for review along with their Base Tax Credit certification application and GEP Tax Credit application. After completion of the project but no later than five (5) days prior to distribution, a digital copy of the project containing the five (5) second long GEP Logo before the below the line crew crawl and the address of the promotional website must be sent to GDEcD for review. A GEP Distribution Form showing proof of fulfillment for the GEP Logo or agreed upon alternative marketing promotion

must be provided to GDEcD no later than five (5) years from the date that the first Base Certification Letter was issued, or the project will not be eligible for the GEP Tax Credit and will not receive the Uplift Certification Letter.

(a) For Feature Films, Production Companies must include an acknowledgement in the end credit roll of the Project recognizing the State of Georgia.

(2) 'Qualified TV Production' means Pilot, Series (in whole or in part), and Television Films, for which GDEcD granted GEP Tax Credit certification. Television productions must include a shooting script or synopsis, as applicable, for review with their Base Tax Credit certification application and GEP Tax Credit application. After completion of the project but no later than five (5) days prior to distribution, a digital copy of the project containing the required GEP Logo with the address of the promotional website must be sent to GDEcD for review. To qualify for the GEP Tax Credit, the production must include a five (5) second long Georgia promotional logo in the body of the program(s); to be placed in the opening title sequence; as a bumper into or out of a commercial break; or in a prominent position in each single episode's end credits with no less than a half screen exposure and not over content. A GEP Distribution Form showing proof of fulfillment for the GEP Logo or agreed upon alternative marketing promotion must be provided to GDEcD no later than five (5) years from the date that the first Base Certification Letter was issued, or the project will not be eligible for the GEP Tax Credit and will not receive the Uplift Certification Letter.

(a) For Television Movies, Production Companies must include an acknowledgement in the end credit roll of the Project recognizing the State of Georgia.

(3) 'Qualified Music Video' means a Music Video for which GDEcD granted GEP Tax Credit certification. To qualify for the GEP Tax Credit, a minimum of a five (5) second long Georgia logo exposure must occur at the end of the finished Project, and be included in all online promotions. After completion of the project but no later than five (5) days prior to distribution, a digital copy of the project containing the required GEP Logo and link must be sent to GDEcD for review. Music video producers must provide a song lyric sheet and general outline of the storyboard of the music video along with their Base Tax Credit certification application and GEP Tax Credit application. A GEP Distribution Form showing that Multimarket Commercial Distribution outside the state of Georgia was accomplished and proof of fulfillment for the GEP Logo in the finished Project, as well as in online promotions, or agreed upon alternative marketing promotion must be provided to GDEcD no later than five (5) years from the date that the first Base Certification Letter was issued, or the project will not be eligible for the GEP Tax Credit and will not receive the Uplift Certification Letter.

(4) 'Qualified Interactive Entertainment Project' means an Interactive Entertainment project for which GDEcD has granted GEP Tax Credit certification, but does not include Prereleased Games. To qualify for the GEP Tax Credit, Interactive Entertainment Projects must include a total of fifteen (15) seconds of GEP logo exposure in units sold, and up to a three (3) second GEP Logo adjacency in all online promotions. Interactive Entertainment Projects may meet the fifteen (15) second requirement by aggregating up to three (3) separate and distinct displays of the GEP Logo throughout the Interactive Entertainment Project totaling fifteen (15) seconds. Prereleased Games do not qualify for the GEP Tax Credit. Placement of the GEP Logo within an Interactive Entertainment Project must be discussed in advance with GDEcD. Interactive Entertainment Projects must provide a synopsis of the Interactive Entertainment project including architecture, navigation and story plotlines before the project can be certified. A GEP Distribution Form showing that Multimarket Commercial Distribution outside the state of Georgia was accomplished and proof of fulfillment for the GEP Logo or agreed upon alternative marketing promotion must be provided to GDEcD at least five (5) days prior to distribution, but no later than December 31 of the fund year for which certification was sought, or the Project will not be eligible for the GEP Tax Credit.

(5) GDEcD will have sole authority for the certification of any project; the denial of certification for any project; the denial of certification of the GEP Tax Credit; the agreed upon type, style, length and placement of the GEP Logo, and the settlement of all disputes regarding the GEP Tax Credit.

(6) GDEcD will make every effort to negotiate in good faith with applicants as it relates to the GEP Logo placement or alternative marketing opportunities at all times in order to provide the greatest level of promotion, economic impact, and jobs creation for the state of Georgia.

Cite as Ga. Comp. R. & Regs. R. 159-1-1-.07

AUTHORITY: O.C.G.A. § [48-7-40.26](#).

HISTORY: Original Rule entitled "Qualified Productions" adopted. F. Mar. 4, 2010; eff. Mar. 24, 2010.

Amended: New title "Qualified Productions for GEP Tax Credit." F. May 6, 2013; eff. May 26, 2013.

Amended: F. Dec. 4, 2017; eff. Dec. 24, 2017.

Amended: F. Mar. 5, 2018; eff. Mar. 25, 2018.

Amended: F. Dec. 29, 2020; eff. Jan. 18, 2021.

Amended: F. June 18, 2021; eff. July 8, 2021.

Amended: F. Dec. 15, 2023; eff. Jan. 4, 2024.

159-1-1-.08 Appeals Process

(1) If the authorized applicant's Completed Application for Base Tax Credit is denied by GDEcD, the Base Certification Letter is retracted by GDEcD, or if GDEcD fails to provide the applicant with a certification decision within the sixty (60) day period following submission of a Completed Application, the applicant shall have the right to appeal the denial, retraction, or failure of certification of the Base Tax Credit. Incomplete Base Tax Credit applications or Base Tax Credit applications that have been voluntarily withdrawn by the applicant prior to a decision from GDEcD are not eligible to appeal. An Applicant may appeal by sending a letter along with supporting documentation outlining applicant's argument as to why the denial, retraction, or failure to certify was improper, to the General Counsel, Georgia Department of Economic Development, 75 Fifth Street, NW, Suite 1200, Atlanta, Georgia 30308, within thirty (30) days from the date of issuance of the Base Tax Credit certification denial or retraction letter by GDEcD, or within ninety (90) days from the submission of a Base Tax Credit Application from which no certification decision was issued. Failure to request an appeal within thirty (30) days or ninety (90) days, as applicable, will finalize the denial decision on the Base Tax Credit, and applicant may not reapply for the same project.

(2) Upon receipt of a timely letter of appeal, the General Counsel will address the merits of the Base Tax Credit appeal and the nature of the dispute with the Commissioner of GDEcD, who will make the final decision. GDEcD shall issue a final opinion and order on the appeal within sixty (60) days of receipt of a timely appeal.

(3) Any further appeals of the Base Tax Credit certification decision must be made before the Office of State Administrative Hearings. In the event an applicant pursues further appeal of the Base Tax Credit decision to the Office of State Administrative Hearings, and GDEcD prevails on such an appeal, then applicant may be responsible for the payment of any fees and costs charged by the Office of State Administrative Hearings in connection with the appeal.

Cite as Ga. Comp. R. & Regs. R. 159-1-1-.08

AUTHORITY: O.C.G.A. § [48-7-40.26](#).

HISTORY: Original Rule entitled "Appeals Process" adopted. F. Mar. 4, 2010; eff. Mar. 24, 2010.

Amended: F. May 6, 2013; eff. May 26, 2013.

Amended: F. Dec. 4, 2017; eff. Dec. 24, 2017.

Amended: F. Dec. 29, 2020; eff. Jan. 18, 2021.

Amended: F. June 18, 2021; eff. July 8, 2021.

Amended: F. Dec. 15, 2023; eff. Jan. 4, 2024.

159-1-1-.09 Effective Date

This regulation as amended shall become effective on January 1, 2024, and shall apply to projects certified on or after such date.

Cite as Ga. Comp. R. & Regs. R. 159-1-1-.09

AUTHORITY: O.C.G.A. § [48-7-40.26](#).

HISTORY: Original Rule entitled "Effective Date" adopted. F. Mar. 4, 2010; eff. Mar. 24, 2010.

Amended: F. May 6, 2013; eff. May 26, 2013.

Amended: F. Dec. 4, 2017; eff. Dec. 24, 2017.

Amended: F. Dec. 29, 2020; eff. Jan. 18, 2021.

Amended: F. Dec. 15, 2023; eff. Jan. 4, 2024.

Department 160. RULES OF GEORGIA DEPARTMENT OF EDUCATION

Chapter 160-1.

Subject 160-1-4. GRANT PROGRAMS

160-1-4-.319 Paraprofessional to Teacher Reimbursement Grant

1. **Purpose of the Grant.** The purpose of the Paraprofessional to Teacher Reimbursement Grant is to promote the recruitment of teachers in local educational agencies ("LEA") across Georgia by providing financial support to paraprofessionals completing their teaching certification through the Georgia Teacher Academy for Preparation Pedagogy ("GaTAPP") program.

2. **Terms and Conditions.** The grant, which is distributed on a reimbursement basis, is awarded to LEAs that complete the grant application and have paraprofessionals who meet specific criteria. The funds allocated to LEAs must be used to provide reimbursable grants, up to \$5,000, to paraprofessionals who (1) are enrolled, on or after January 1, 2023, in a GaTAPP program, (2) earn teacher certification through that program, (3) hold a bachelor's degree or higher, (4) are employed in a teaching position by the LEA, and (5) hold a Georgia Provisional Certificate or Permit. To receive grant allocations, grant recipients must submit a request to the Georgia Department of Education ("GaDOE") for reimbursement of the direct cost for previously identified paraprofessional to attend and complete the GaTAPP program.

3. **Eligible Recipients.** All Georgia LEAs that have paraprofessionals who meet the requirements set forth in the application are eligible to receive the grant.

4. **Criteria for Award.** To receive the grant award, all applicants must meet the terms and conditions which include submitting a request to GaDOE for reimbursement of the direct cost for previously identified paraprofessional to attend and complete the GaTAPP program.

5. **Directions and Deadlines for Applying.** To apply, LEAs must complete and submit the electronic application located online at the GaDOE Competitive Grants webpage. Information regarding the deadline will also be on the GaDOE Competitive Grants webpage. All additional requests for information should be made to esdsupport@doe.k12.ga.us.

Cite as Ga. Comp. R. & Regs. R. 160-1-4-.319

AUTHORITY: O.C.G.A. § [20-2-240](#).

HISTORY: Original grant description entitled "Paraprofessional to Teacher Reimbursement Grant." Submitted Dec. 13, 2023.

Department 295. JOINT SECRETARY, PROFESSIONAL LICENSING BOARDS

Chapter 295-2. EXPIRATION AND RENEWAL DATES

295-2-.18 Licenses Expiring Every Three Years

The following licenses expire every three years from the issue date of the license:

- (a) Trauma Scene Practitioners; with a late renewal period of thirty (30) days after the license expiration date.

Cite as Ga. Comp. R. & Regs. R. 295-2-.18

AUTHORITY: O.C.G.A. § [43-1-4](#).

HISTORY: Original Rule entitled "Licenses Expiring Every Three Years" adopted. F. Aug. 24, 2022; eff. Sep. 13, 2022.

Note: Rule [295-2-.18](#), correction of administrative typographical error in Rule History, "**History.** Original Rule entitled "Licenses Expiring Even Three Years" adopted. F. Aug. 24, 2022; eff. Sep. 13, 2022." corrected to "**History.** Original Rule entitled "Licenses Expiring Every Three Years" adopted. F. Aug. 24, 2022; eff. Sep. 13, 2022." Effective Dec. 17, 2023.

Amended: F. Nov. 27, 2023; eff. Dec. 17, 2023.

Department 360. RULES OF GEORGIA COMPOSITE MEDICAL BOARD

Chapter 360-13. RESPIRATORY CARE PROFESSIONALS, TECHNICIANS AND THERAPISTS

360-13-.01 Requirements for Board Certification

(1) To be eligible for Board certification, an applicant must:

(a) provide an affidavit and a secure and verifiable document in accordance with O.C.G.A. [50-36-1\(f\)](#). 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;

(2) be at least eighteen (18) years of age;

(3) have submitted a completed application and the fees as required by the Board;

(4) submit evidence of holding an active Registered Respiratory Therapists (RRT) credential from the National Board for Respiratory Care (NBRC) or meet one of the following requirements:

(a) Submit evidence of an active Certified Respiratory Therapy Technician (CRTT) credential issued by the NBRC prior to July 1, 1999.

(b) Submit evidence of an active Certified Respiratory Therapist (CRT) credential issued by the NBRC prior to March 15, 2020.

(5) must not be currently sanctioned under O.C.G.A. § [43-34-149](#).

Cite as Ga. Comp. R. & Regs. R. 360-13-.01

AUTHORITY: O.C.G.A. §§ [43-34-143](#), [43-34-144](#), [43-34-145](#), [43-34-148](#).

HISTORY: Original Rule entitled "Purpose" adopted as ER. 360-13-0.4-.01. F. Sept. 10, 1986; eff. Sept. 4, 1986, the date of adoption.

Amended: Permanent Rule of same title adopted. F. Dec. 18, 1986; eff. Jan. 7, 1987.

Amended: F. Jan. 12, 1994; eff. Feb. 1, 1994.

Repealed: New Rule entitled "Requirements for Board Certification" adopted. F. Aug. 14, 2003; eff. Sept. 3, 2003.

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

Repealed: New Rule of same title adopted. F. May 11, 2012; eff. May 31, 2012.

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

Repealed: New Rule of same title adopted. F. Feb. 19, 2016; eff. Mar. 10, 2016.

Repealed: New Rule of same title adopted. F. Jan. 28, 2020; eff. Feb. 17, 2020.

Amended: F. Dec. 27, 2023; eff. Jan. 16, 2024.

360-13-.02 Applications

(1) The application form shall be completed according to the instructions provided in the application.

(2) Applications must be complete, including all required documentation, signatures and seals. Application files are not considered completed until all information, including fees, have been received by the Board.

(3) Applicants shall inform the Board in writing within 10 days of a change of address while an application is pending.

(4) Application fees are nonrefundable.

(5) Incomplete applications that have been on file with the Board for more than 12 months from the original date of application shall be deemed invalid. No further action will take place on applications that have been incomplete for more than a year until a new application is received in accordance with the provisions of this chapter with the appropriate application fee.

(6) Any applicant who has not received from the Board a valid certificate to practice respiratory care shall not engage in the practice of respiratory care or represent himself or herself as a certified respiratory care professional until such time as the Board has approved his or her application for certification.

Cite as Ga. Comp. R. & Regs. R. 360-13-.02

AUTHORITY: O.C.G.A. §§ [43-1-2](#), [43-1-4](#), [43-1-7](#), [43-1-25](#), [43-34-24](#), [43-34-143](#), [43-34-144](#), [43-34-145](#), [43-34-148](#), [43-34-150](#).

HISTORY: Original Rule entitled "Requirements for Board Certification" adopted as ER. 360-13-0.4-.02. F. Sept. 10, 1986; eff. Sept. 4, 1986, the date of adoption.

Amended: Permanent Rule of same title adopted. F. Dec. 18, 1986; eff. Jan. 7, 1987.

Amended: F. Sept. 14, 1988; eff. Oct. 4, 1988.

Amended: F. Jan. 12, 1994; eff. Feb. 1, 1994.

Repealed: New Rule entitled "Applications" adopted. F. Aug. 14, 2003; eff. Sept. 3, 2003.

Amended: F. Dec. 27, 2023; eff. Jan. 16, 2024.

360-13-.03 [Repealed]

Cite as Ga. Comp. R. & Regs. R. 360-13-.03

AUTHORITY: O.C.G.A. §§ [43-34-143](#), [43-34-147](#).

HISTORY: Original Rule entitled "Grandfather Provision" adopted as ER. 360-13-0.4-.03. F. Sept. 10, 1986; eff. Sept. 4, 1986, the date of adoption.

Amended: Permanent Rule of same title adopted. F. Dec. 18, 1986; eff. Jan. 7, 1987.

Repealed: F. Sept. 14, 1988; eff. Oct. 4, 1988.

Amended: ER. 360-13-0.9-.03 entitled "Exemptions to Licensure Requirements" adopted. F. June 4, 1993; eff. June 3, 1993, the date of adoption.

Amended: Permanent Rule of same title adopted. F. Aug. 9, 1993; eff. Aug. 29, 1993.

Repealed: New Rule entitled "Temporary Permits" adopted. F. Aug. 14, 2003; eff. Sept. 3, 2003.

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

Amended: F. Jan. 13, 2014; eff. Feb. 2, 2014.

Repealed: F. Dec. 27, 2023; eff. Jan. 16, 2024.

360-13-.04 Reciprocity

(1) Any person who has been granted certification, registration, licensure or other to practice respiratory care in another state may petition the Board for reciprocity in Georgia.

(2) Verification by oath of certification, registration, licensure or other to practice respiratory care must be submitted directly to the Board from the appropriate state attesting to the fact that the applicant seeking certification by reciprocity is currently certified, licensed or otherwise authorized to practice respiratory care in that state.

(3) Any applicant for certification by reciprocity must submit a verification of completion of continuing education requirements as provided in Rule [360-13-10](#).

(4) Reciprocity applicants who have not been practicing respiratory care in another state for a period of 12 months or more shall be required to provide verification of completion of continuing education requirements as provided in Rule [360-13-10](#) for each biennial period that the applicant was not practicing. However, the maximum number of contact hours required may not exceed 60.

Cite as Ga. Comp. R. & Regs. R. 360-13-.04

AUTHORITY: O.C.G.A. §§ [43-1-2](#), [43-1-4](#), [43-1-7](#), [43-1-25](#), [43-34-24](#), [43-34-143](#), [43-34-145](#), [43-34-147.1](#), [43-34-147.2](#).

HISTORY: Original Rule entitled "Renewal and Recertification" adopted as ER. 360-13-0.4-.04. F. Sept. 10, 1986; eff. Sept. 4, 1986, the date of adoption.

Amended: Permanent Rule of same title adopted. F. Dec. 18, 1986; eff. Jan. 7, 1987.

Amended: F. Oct. 19, 1988; eff. Nov. 8, 1988.

Amended: ER. 360-13-0.7-.04 adopted. F. Jan. 18, 1989; eff. Jan. 12, 1989, the date of adoption.

Repealed: New Rule entitled "Reciprocity" adopted. F. Jan. 12, 1994; eff. Feb. 1, 1994.

Repealed: New Rule of same title adopted. F. Aug. 14, 2003; eff. Sept. 3, 2003.

Amended: F. Dec. 27, 2023; eff. Jan. 16, 2024.

360-13-.07 Renewal and Recertification

- (1) Certificates will expire on the last day of the month in which the applicant's birthday falls.
- (2) Approximately 60 days prior to the expiration date, the Board may, as a courtesy, email a notice for renewal of certificate to the certificate holder's last email address on file in the Board's records.
- (3) Failure to receive such notification shall not relieve the certificate holder of the obligation to renew the certificate and pay the required fee prior to the expiration date of the certificate. Deposit of the renewal fee by the Board does not indicate acceptance of the renewal application or that any licensing requirements have been fulfilled.
- (4) To be eligible for renewal and recertification, a certificate holder must answer questions on their biennial renewal form, which establish satisfaction of Board approved continuing education requirements. The Board shall not renew the certificates of applicants who failed to comply with Board approved continuing education requirements.
- (5) Failure to renew a certificate by the designated expiration date shall result in a penalty for late renewal as required by the Board. Certificates that are not renewed within 3 months of expiration shall be revoked for failure to renew and may be reinstated only as provided in Rule [360-13-.09](#).
- (6) A certificate holder with an expired certificate shall not engage in the practice of respiratory care or to represent himself or herself as a certified respiratory care professional until such time as the Board has approved his or her application for renewal or reinstatement.
- (7) Notwithstanding the provisions of paragraph (6) of this rule, any service member as defined in O.C.G.A. § [15-12-1](#) whose license to practice 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.
- (8) All renewal 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 another federal agency.

Cite as Ga. Comp. R. & Regs. R. 360-13-.07

AUTHORITY: O.C.G.A. §§ [43-1-19](#), [43-34-3](#), [43-34-143](#) to [43-34-147](#), [43-34-150](#), [43-34-151](#).

HISTORY: Original Rule entitled "Continuing Education Requirements" adopted. F. Jan. 12, 1994; eff. Feb. 1, 1994.

Amended: F. Jan. 13, 1997; eff. Feb. 2, 1997.

Amended: F. May 11, 1998; eff. May 31, 1998.

Repealed: New Rule entitled "Renewal and Recertification" adopted. F. Aug. 14, 2003; eff. Sept. 3, 2003.

Repealed: New Rule of same title adopted. F. Mar. 10, 2004; eff. Mar. 30, 2004.

Amended: F. Apr. 12, 2006; eff. May 2, 2006.

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

Amended: F. Jan. 13, 2014; eff. Feb. 2, 2014.

Amended: F. Jun. 11, 2014; eff. July 1, 2014.

Amended: F. Dec. 27, 2023; eff. Jan. 16, 2024.

360-13-.08 Inactive Status

(1) A person who wishes to maintain his or her certificate as a Respiratory Care Professional, but who does not intend to practice respiratory care may apply to the Board for inactive status by submitting an application and the fee. An individual with an inactive certificate may not practice respiratory care in Georgia.

(2) In order to reinstate a certificate to practice respiratory care, an applicant must complete an application and pay a reinstatement fee. The applicant must provide verification of completion of continuing education requirements as provided in Rule [360-13-.10](#) for each biennial period that the applicant was not certified. However, the maximum number of contact hours required may not exceed 60.

(3) Reinstatement of the certificate is within the discretion of the Board.

Cite as Ga. Comp. R. & Regs. R. 360-13-.08

AUTHORITY: O.C.G.A. §§ [43-34-143](#), [43-34-147](#), [43-34-147.1](#).

HISTORY: Original Rule entitled "Temporary Permits" adopted. F. Jan. 12, 1994; eff. Feb. 1, 1994.

Repealed: New Rule entitled "Inactive Status" adopted. F. Aug. 14, 2003; eff. Sept. 3, 2003.

Amended: F. Dec. 27, 2023; eff. Jan. 16, 2024.

360-13-.09 Reinstatement

(1) A minimum of two (2) years shall pass from the date of any revocation of a certificate before the Board will consider an application for reinstatement. This requirement shall only apply to those instances in which the certificate in question was revoked for reasons other than failure to renew. For purposes of this rule, a voluntary surrender shall be considered a revocation for reasons other than failure to renew.

(2) Applicants for reinstatement who have not practiced within two (2) years prior to making application with the board must obtain the following continuing education hours to be eligible for reinstatement:

(a) Thirty hours (or 3 CEUs) of approved continuing education credits are needed in which 15 hours or 1.5 CEUs must come from critical care. Critical care topics are generally considered to be topics that include in the title such words or abbreviations as ICU, NICU, PICU, ventilator, modes of ventilation, ventilator weaning, VAP, PEEP, BiPAP®, CPAP, ARDS, NAVA, Capnography, ALI, mechanically ventilated patients, Mass casualty care, HFOV, or HFV.

(3) In order to reinstate a certificate to practice respiratory care, an applicant must complete an application, pay a reinstatement fee as shall be designated in the fee schedule, and provide verification of completion of continuing education requirements as provided in Rule [360-13-.10](#) for each biennial period that the applicant was not certified. However, the maximum number of contact hours required may not exceed 60. The applicant must be able to

demonstrate to the satisfaction of the Board that he or she has maintained current knowledge, skill and proficiency in the practice of respiratory care with reasonable skill and safety.

(4) Reinstatement of the certificate is within the discretion of the Board.

(5) The Board may require the passage of an examination. The Board, in its discretion, may impose any remedial requirements deemed necessary.

(6) The Board may deny reinstatement for failure to demonstrate current knowledge, skill and proficiency in the practice of respiratory care or for being mentally or physically unable to practice respiratory care with reasonable skill and safety or for any ground set forth in O.C.G.A. § [43-34-149](#).

(7) The denial of reinstatement is not a contested case, but the applicant shall be entitled to an appearance before the Board.

Cite as Ga. Comp. R. & Regs. R. 360-13-.09

AUTHORITY: O.C.G.A. §§ [43-1-19](#), [43-34-143](#), [43-34-145](#), [43-34-147](#) to [43-34-151](#).

HISTORY: Original Rule entitled "Unlicensed Practice" adopted. F. Jan. 12, 1994; eff. Feb. 1, 1994.

Repealed: New Rule entitled "Reinstatement" adopted. F. Aug. 14, 2003; eff. Sept. 3, 2003.

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

Amended: F. Dec. 27, 2023; eff. Jan. 16, 2024.

360-13-.10 Continuing Education Requirements

(1) Any applicant for renewal of a certificate to practice Respiratory Care who has been initially licensed by examination for less than two years shall not be required to complete the continuing education hours in order to renew the certificate for the first time. However, for the next renewal must obtain 30 hours of continuing education.

(2) Except as provided in paragraph (1), to be eligible to renew a certificate, each certificate holder must complete 30 contact hours, or 3 continuing education units, of approved continuing education during the two years preceding certification renewal. One continuing education unit shall be equal to 10 contact hours of instruction. Certificate holders shall not receive contact hours or continuing education units for teaching continuing education courses. Each certificate must be renewed biennially by the last day of the month in which the applicant's birthday falls.

(3) Each certificate holder shall be required to answer questions on their renewal application form that establish compliance with Board approved continuing education requirements. Certificate holders will not be required to send documentation of compliance with continuing education requirements for renewal, unless requested by the Board pursuant to Rule [360-13-.10\(4\)](#). False statements regarding satisfaction of continuing education on the renewal form or any other document connected with the practice of respiratory care may subject the certificate holder to disciplinary action by the Board.

(4) Each licensed individual must maintain a record of attendance and supporting documents of approved continuing education requirements as stated in this Rule for a period of five years. At a minimum, the following information must be kept:

(a) name of provider;

(b) name of program;

(c) hours of continuing education units completed; and

(d) date of completion.

(5) The Board will audit a fixed percentage of randomly selected renewal applications to monitor compliance with the continuing education requirements. Any certificate holder so audited shall be required to furnish documentation of compliance including name of provider, name of program, hours/continuing education units completed and date of completion. Any certificate holder so audited that has been found to be out of compliance with the Board's continuing education requirements may be subject to disciplinary action.

(6) If the certificate holder has not complied with the continuing education requirement by the expiration of the certificate, his/her certificate shall not be renewed and the certificate holder shall not engage in the practice of respiratory care. A certificate holder may late renew during the three months following the expiration date of his or her certificate by presenting satisfactory evidence to the Board of completion of the contact hours or continuing education units of Board approved continuing education required by paragraph (2) of this Rule and the late renewal fee. Certificates not renewed within 3 months following the expiration date of the certificate shall be revoked for failure to renew. In order to obtain a valid certificate after revocation for failure to renew, an applicant must apply for reinstatement in accordance with Rule [360-13-.09](#).

(7) Continuing education hours that are used to satisfy a deficiency may not be used for purposes of renewal of the certificate holder's certificate for the next biennium.

(8) Any certificate holder seeking renewal of a certificate without having fully complied with the Board's continuing education requirements who wishes to seek a waiver or variance of this rule shall file with the Board.

(a) a renewal application and fee and

(b) a statement that complies with the provisions of O.C.G.A. § [50-13-9.1](#) setting forth the specific facts of substantial hardship which would justify a variance or waiver, including the alternative standards which the person seeking a waiver or variance agrees to meet and a showing that such alternative standards will afford adequate protection for the public health, safety and welfare; and the reason why the variance would serve the purpose of the underlying statute.

(9) The following courses are approved by the Board as meeting the continuing education requirements:

(a) Courses approved by the American Association for Respiratory Care or its successor organization.

(b) Courses approved by the American Academy of Pediatrics.

(c) Courses approved by the American Thoracic Society.

(d) Courses approved by the American College of Chest Physicians.

(e) Courses approved by the American Association of Critical-Care Nurses.

(f) The following programs of the American Heart Association and the American Academy of Pediatrics; however, these programs shall constitute no more than 25% of the total acceptable continuing education units required.

1. Basic Life Support

2. Basic Life Support Recertification

3. Advanced Cardiac Life Support

4. Advanced Cardiac Life Support Recertification

5. Basic Life Support Instructor

6. Basic Life Support Instructor Trainer
7. Basic Life Support Instructor Trainer Recertification
8. Advanced Cardiac Life Support Instructor
9. Advanced Cardiac Life Support Instructor Update (Certification)
10. Basic Trauma Life Support
11. Basic Trauma Life Support Recertification
12. Pediatric Basic Life Support
13. Pediatric Advanced Life Support
14. Pediatric Advanced Life Support Recertification
15. Neonatal Resuscitation Program
16. Neonatal Recertification.

(g) Courses approved by the American Society for Anesthesia

(h) National Board for Respiratory Care Self-Assessment Exams

(i) National Board for Respiratory Care Credential Exams

(j) American Medical Association Category I programs

(k) Courses approved by the College of American Pathologists provided the courses are related to pulmonary pathology or acid base balance and constitute no more than 25% of the acceptable continuing education units required.

(l) Respiratory specific courses approved by the Georgia Nursing Association; however, courses approved by the Georgia Nursing Association shall constitute no more than 25% of the total acceptable continuing education units required.

Cite as Ga. Comp. R. & Regs. R. 360-13-.10

AUTHORITY: O.C.G.A. §§ [43-34-3](#), [43-34-143](#), [43-34-145](#), [43-34-147](#), [43-34-150](#).

HISTORY: Original Rule entitled "Practice of Respiratory Care Without Certification Prohibited; Exceptions" adopted. F. June 9, 1995; eff. June 29, 1995.

Repealed: New Rule entitled "Continuing Education Requirements" adopted. F. Aug. 14, 2003; eff. Sept. 3, 2003.

Amended: F. June 11, 2004; eff. July 1, 2004.

Amended: F. Aug. 29, 2005; eff. Sept. 18, 2005.

Repealed: New Rule of same title adopted. F. Apr. 12, 2006; eff. May 2, 2006.

Repealed: New Rule of same title adopted. F. June 28, 2006; eff. July 18, 2006.

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

Amended: F. Dec. 27, 2023; eff. Jan. 16, 2024.

360-13-.12 Practice of Respiratory Care Without Certification Prohibited; Exceptions

(1) Unless certified pursuant to O.C.G.A. Title 43, Chapter 34, Article 6, no person shall:

(a) Practice respiratory care; or

(b) Represent himself or herself to be a respiratory care professional who is certified pursuant to O.C.G.A. § [43-34-151](#).

(2) The prohibition in subsection (1) does not apply to:

(a) The delivery of respiratory care by health care personnel who have been formally trained in these modalities and who are duly licensed to provide that care under any other provision of Title 43;

(b) The practice of respiratory care which is an integral part of the program of study by students enrolled in a respiratory care education program recognized by the Commission on Accreditation for Respiratory Care (COARC) and the Commission on Accreditation of Allied Health Education Programs (CAAHEP) or the equivalent thereof as accepted by the Board. Students enrolled in respiratory therapy education programs shall be identified as "Student-RCP" and shall only provide respiratory care under direct clinical supervision;

(c) Self-care by a patient or gratuitous care by a friend or family member who does not represent or hold himself or herself out to be a respiratory care professional;

(d) Respiratory care services rendered in the course of an emergency disaster;

(e) Persons in the military services or working in Federal facilities when functioning in the course of their assigned duties;

(f) The performance of respiratory care diagnostic testing by individuals who are certified or registered as pulmonary function technologists by the National Board for Respiratory Care, or equivalent certifying agency, as recognized by the Board;

(g) The delivery, assembly, setup, testing, and demonstration of oxygen and aerosol equipment upon the order of a physician licensed under Art. 2 of Chapter 34, Title 43. Provided, however, that no person providing such services shall be authorized to assess patients, develop care plans, instruct patients in taking treatment, or discuss the hazards, administration, or side effects of medications with patients.

(h) Persons who perform limited respiratory care procedures under the supervision of a certified respiratory care professional in a hospital or nursing home when the Board has defined the competencies required to perform such limited respiratory care procedures.

1. The Board has defined the following class of persons as having the competencies required to perform such limited respiratory care procedures:

(i) Students of an accredited Respiratory Care Program who perform limited respiratory care procedures under the supervision of a certified respiratory care professional in a hospital or nursing home, if the student's competency has been validated through an accredited education program and by the hospital or nursing home for whom he or she is employed.

(I) Any student who performs limited respiratory care procedures without complying with the requirements listed in the above paragraphs of Rule [360-13-.12\(2\)\(b\)](#) is engaging in the practice of respiratory care without certification,

which is prohibited by O.C.G.A. § [43-34-151](#). Any certified respiratory care professional who supervises a student prior to compliance with the above listed paragraphs of Rule [360-13-.12\(b\)](#) is aiding and assisting an uncertified person engage in the practice of respiratory care and may be subject to disciplinary action.

Cite as Ga. Comp. R. & Regs. R. 360-13-.12

AUTHORITY: O.C.G.A. §§ [43-34-143](#), [43-34-150](#), [43-34-151](#).

HISTORY: Original Rule entitled "Practice of Respiratory Care Without Certification Prohibited; Exceptions" adopted. F. Aug. 14, 2003; eff. Sept. 3, 2003.

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

Amended: F. Dec. 27, 2023; eff. Jan. 16, 2024.

360-13-.13 Composition and Responsibilities of the Respiratory Care Advisory Committee

(1) The Respiratory Care Advisory Committee shall be comprised as follows:

(a) At least four (4) individuals who are certified in Georgia to engage in the practice of respiratory care and such other individuals as the Board, in its discretion, may determine.

1. All appointees to the Advisory Committee shall have on file with the Executive Director of the Board, or his/her designee, a resume and three letters of recommendation, (one of which may be from a physician familiar with the appointee's practice of respiratory care).

2. In order to preserve continuity on the Advisory Committee, two (2) appointees shall serve a four-year term and two (2) appointees shall serve a two-year term which will be considered a partial term. At the time of the appointment, each appointee will be notified in writing by the Executive Director of the Board as to the beginning and ending dates of their respective appointment terms. Each may reapply to the full Board to serve an additional term but may not serve more than two (2) consecutive two-year terms.

3. In the event an Advisory Committee member is replaced during a term, the replacement member will serve the remaining time of that term as a partial term. An Advisory Committee member who serves a partial term will, after the completion of the partial term, be eligible to serve two (2) consecutive two-year terms.

4. Appointees shall serve without compensation from the State of Georgia for their time and expenses.

(b) One individual who is a physician licensed to practice medicine in the State of Georgia who:

1. Specializes or is board certified in pulmonary medicine;

2. Shall serve a two (2) year term and may be reappointed for an additional two-year term by a majority vote of the Board but may not serve more than two (2) consecutive terms.

(2) The Advisory Committee shall advise the Board on matters pertaining to the appointment of the Advisory Committee members and on all matters within the purview of the Respiratory Care Practices Act. The Board, in consultation with the Advisory Committee, shall:

(a) Determine the qualifications and fitness of applicants for certification, renewal of the certificate, and reciprocal certification;

(b) Adopt and revise rules consistent with the laws of the State of Georgia that are necessary to conduct its duties and administer the Act;

(c) Examine, approve, issue, deny revoke, suspend and renew the license of applicants and certificate holders and conduct hearings in connection with all duties to be performed pursuant to the Act.

(3) Advisory Committee members, who are not members of the Board, must be available to meet on as an needed basis and may not miss more than three (3) consecutive meetings of the Advisory Committee, or four (4) meetings in a calendar year, without an excused absence from either the Executive Director of the Board or the Board President.

(a) The Advisory committee may recommend to the Board the removal of a member for violation of the attendance rule. Such a recommendation shall be by majority vote of the Advisory Committee.

(b) Upon receipt of a recommendation for removal, the Board may remove a member of the Advisory Committee by a majority vote.

(4) Advisory Committee vacancies may be filled by the Board upon recommendation from the Advisory Committee. All applicants must meet any deadline set by the Board and shall have on file with the Executive Director of the Board, or with his/her designee, a resume and three (3) letters of recommendation, (one of which may be from a physician familiar with the applicant's practice of respiratory care.

Cite as Ga. Comp. R. & Regs. R. 360-13-.13

AUTHORITY: O.C.G.A. §§ [43-34-143](#), [43-34-149](#).

HISTORY: Original Rule entitled "Composition and Responsibilities of the Respiratory Care Advisory Committee" adopted. F. Aug. 14, 2003; eff. Sept. 3, 2003.

Amended: F. Dec. 27, 2023; eff. Jan. 16, 2024.

360-13-.14 Notice of Inability to Practice with Reasonable Skill and Safety

Any certificate holder shall notify the Board within 30 days of becoming unable to practice respiratory care with reasonable skill and safety by reason of illness or the use of alcohol, drugs, narcotics, chemicals or any other type of material.

Cite as Ga. Comp. R. & Regs. R. 360-13-.14

AUTHORITY: O.C.G.A. §§ [43-1-19](#), [43-1-25](#), [43-34-143](#), [43-34-148](#).

HISTORY: Original Rule entitled "Notice of Inability to Practice with Reasonable Skill and Safety" adopted. F. Oct. 16, 2006; eff. Nov. 5, 2006.

Amended: F. Dec. 27, 2023; eff. Jan. 16, 2024.

360-13-.15 [Repealed]

Cite as Ga. Comp. R. & Regs. R. 360-13-.15

AUTHORITY: O.C.G.A. §§ [43-34-143](#), [43-34-146](#).

HISTORY: Original Rule entitled "Changes in Medical Directors" adopted. F. Oct. 16, 2006; eff. Nov. 5, 2006.

Repealed: F. Dec. 27, 2023; eff. Jan. 16, 2024.

360-13-.16 Consumer Information and Awareness to Act. Standards for Respiratory Care Professional

All respiratory care professionals certified to practice in the State of Georgia shall comply with the Consumer Information and Awareness Act, O.C.G.A. Section [43-1-33](#), in all advertisements and interactions with patients. For purposes of this rule and the Consumer Information and Awareness Act, the approved identifier shall be "Respiratory Care Professional" or "RCP."

Cite as Ga. Comp. R. & Regs. R. 360-13-.16

AUTHORITY: O.C.G.A. § [43-1-33](#).

HISTORY: Original Rule entitled "Consumer Information and Awareness Act. Standards for Respiratory Care Professional" adopted. F. Feb. 19, 2016; eff. Mar. 10, 2016.

Amended: F. Dec. 27, 2023; eff. Jan. 16, 2024.

Department 391. RULES OF GEORGIA DEPARTMENT OF NATURAL RESOURCES

Chapter 391-2. COASTAL RESOURCES

Subject 391-2-4. SALTWATER FISHING REGULATIONS

391-2-4-.04 Saltwater Finfishing

(1) **Purpose.** The purpose of these Rules is to implement the authority of the Board of Natural Resources to promulgate rules and regulations based on sound principles of wildlife research and management, establishing the seasons, methods of fishing, and disposition; size, possession, and creel limits; and gear and landing specifications for certain finfish.

(2) **Definitions.**

(a) "Billfish" means Blue Marlin (*Makaira nigricans*), White Marlin (*Tetrapturus albidus*) and Sailfish (*Istiophorus albicans*).

(b) "Daily creel limit" means the lawful amount of a species of finfish that a person may take in one day or possess at any one-time, except at one's place of abode or at a commercial storage facility provided the Board has not prohibited sale of that species.

(c) "Hammerhead Sharks" means a group of sharks inclusive of Great Hammerhead (*Sphyrna mokarran*), Scalloped Hammerhead (*Sphyrna lewini*) and Smooth Hammerhead (*Sphyrna zygaena*).

(d) "Handline" means a mainline to which no more than two hooks are attached and which is retrieved by hand without the aid of mechanical devices.

(e) "Landed" means to bring fish to shore in this state, regardless of the jurisdiction from which they were taken or harvested.

(f) "Minimum size" means the species' specific size in length, specified as fork length, lower jaw fork length or total length, below which size it is unlawful to possess that finfish species.

(g) "Maximum size" means the species' specific size in length, specified as fork length, lower jaw fork length or total length, above which size it is unlawful to possess that finfish species.

(h) "Open Season" means that specified period of time during which one may take from any of the waters of this state certain finfish species.

(i) "Prohibited Sharks" means a group of sharks inclusive of sand tiger (*Carcharias taurus*), sandbar shark (*Carcharhinus plumbeus*), silky shark (*Carcharhinus falciformis*), bigeye sandtiger (*Odontaspis noronhai*), whale shark (*Rhincodon typus*), basking shark (*Cetorhinus maximus*), white shark (*Carcharodon carcharias*), dusky shark (*Carcharhinus obscurus*), bignose shark (*Carcharhinus altimus*), Galapagos shark (*Carcharhinus galapagensis*), night shark (*Carcharhinus signatus*), reef shark (*Carcharhinus perezi*), narrowtooth shark (*Carcharhinus brachyurus*), Caribbean sharpnose shark (*Rhizoprionodon porosus*), smalltail shark (*Carcharhinus porosus*), Atlantic angel shark (*Squatina dumeril*), longfin mako (*Isurus paucus*), bigeye thresher (*Alopias superciliosus*), sharpnose sevengill shark (*Heptranchias perlo*), bluntnose sixgill shark (*Hexanchus griseus*), bigeye sixgill (*Carcharhinus longimanus*).

(j) "Sharks" means all species of sharks other than those comprising the small shark composite as defined in subparagraph 2(k), hammerhead sharks as defined in subparagraph 2(c), prohibited sharks as defined in subparagraph 2(i), and individual species regulated by this rule.

(k) "Small Shark Composite" means a group of sharks inclusive of Atlantic sharpnose shark (*Rhizoprionodon terraenovae*), bonnethead (*Sphyrna tiburo*), and spiny dogfish (*Squalus acanthias*).

(3) **Seasons, Daily Creel and Possession Limits, Minimum and Maximum Size Limits.** The following species may be taken in accordance with the seasons, daily creel and possession limits, and minimum and maximum size limits set forth below, except as otherwise specifically provided herein:

SPECIES	SEASON	Daily Creel and Possession Limit	Minimum Size (inches)	Maximum Size (inches)
(a) Amberjack	All Year	1	28 FL	
(b) Atlantic croaker	All Year	25		
(c) Atlantic sturgeon	No Open Season has been established by the Board of Natural Resources.			
(d) Black drum	All Year	15	14 TL	
(e) Black sea bass	All Year	15	12 TL	
(f) Reserved				
(g) Bluefish	All Year	15	12 TL	
(h) Cobia	March 1 - October 31	1 per person not to exceed 6 per boat	36 FL	
(i) Dolphin	All Year	10 per person not to exceed 54 per boat.	20 FL	
1. Headboats with a valid certificate of inspection are allowed 10 dolphin per paying passenger.				
(j) Flounder (<i>Paralichthys spp.</i>)	All Year	15	12 TL	
(k) Gag grouper	All Year	2	24 TL	
(l) King mackerel	All Year	3	24 FL	
(m) Red Drum	All Year	5	14 TL	23TL
(n) Red Porgy	All Year	3	14 TL	
(o) Red Snapper	All Year	2	20 TL	
(p) Reserved				
(q) Prohibited Sharks	Unlawful to possess.			
(r) Sharks				
(r.1.) Small Shark Composite	All Year	1	30 FL	
(r.2.) Sharks		1 per person or boat	54 FL	
(r.3.) Hammerhead Sharks			78 FL	
(r.4.) Shortfin Mako Shark			83 FL	
(s) Sheepshead	All Year	15	10 TL	
(t) Reserved				
(u) Spanish mackerel	All Year	15	12 FL	
1. A catch of Spanish mackerel under the minimum size limit is allowed equal to five percent by weight of the total catch of Spanish mackerel on board a trawler.				
(v) Spot	All Year	25		
(w) Spotted sea trout	All Year	15	14 TL	
(x) Tarpon	All Year	1	68 TL	
(y) Tripletail	All Year	2	18 TL	
(z) Weakfish	All Year	1	13 TL	
(aa) Reserved				

SPECIES	SEASON	Daily Creel and Possession Limit	Minimum Size (inches)	Maximum Size (inches)
(bb) American eel	All Year	25	9 TL	

(4) **Restrictions on Sale.** It shall be unlawful for any person in this state to sell, purchase, or barter any of the following species or part thereof, except as otherwise specifically provided herein:

(a) No person operating as a dealer may buy or sell sharks, small shark composite species, hammerhead sharks, and Shortfin Mako Sharks caught in state waters without first obtaining a federal Commercial Shark Dealer Permit and when state or federal quotas for species within those groups have been reached.

(b) Tarpon.

(c) No person may sell any fish managed under federal law and harvested from either Georgia waters or the South Atlantic Exclusive Economic Zone except when the catch of such fish is allowed by applicable federal law. This prohibition of sale does not apply to fish harvested, landed, and sold in compliance with applicable federal law and held in cold storage by a seafood dealer or processor. This prohibition also does not apply to a seafood dealer's purchase or sale of fish harvested from waters other than those of Georgia or the South Atlantic Exclusive Economic Zone, provided such fish is accompanied by documentation of legal harvest.

(d) Reserved

(e) Reserved

(5) **Possession and Landing Specifications.**

(a) All fish subject to restrictions specified in this Rule may be possessed in state waters or landed only with head and fins intact, except that when landed for commercial purposes, all sharks, small shark composite species, hammerhead sharks, and Shortfin Mako Sharks may have the heads removed but fins and tail must remain naturally attached.

(b) It shall be unlawful to transfer at sea in State waters from a fishing vessel to any other vessel or person any fish caught which are subject to the restrictions specified in this Rule.

(c) Except as otherwise provided by law, it shall be unlawful to fish for sharks, small shark composite species, hammerhead sharks, or Shortfin Mako Sharks for recreational purposes with any gear other than rod and reel or handline as defined in subparagraph (2)(d) above. Additionally, anglers must use non-offset, corrodible, non-stainless-steel circle hooks when fishing for sharks recreationally, except when fishing with flies or artificial lures.

(d) Except as otherwise provided by law, trawlers fishing for shrimp for human consumption pursuant to Code Section [27-4-133](#) shall be exempt from the creel and possession limits for spot and Atlantic croaker.

(e) Except as otherwise specifically provided herein, in state waters the size, catch, creel and possession limits, fishing period closures, and requirements pertaining to the taking, release, landing, sale, purchase, trade, or barter of billfish shall be prescribed by federal regulations implemented under the Fishery Conservation and Management Act (PL 94-265) and the Consolidated Atlantic Highly Migratory Species Fishery Management Plan.

Cite as Ga. Comp. R. & Regs. R. 391-2-4-.04

AUTHORITY: O.C.G.A. §§ [12-2-24](#), [27-1-4](#), [27-4-10](#).

HISTORY: Original Rule entitled "Saltwater Finfishing" adopted. F. Aug. 24, 1989; eff. Sept. 13, 1989.

Amended: F. July 30, 1991; eff. August 19, 1991.

Amended: F. Feb. 26, 1992; eff. Mar. 17, 1992.

Amended: F. July 22, 1992; eff. August 11, 1992.

Amended: F. July 26, 1993; eff. August 15, 1993.

Amended: F. Nov. 3, 1995; eff. Nov. 23, 1995.

Amended: ER. 391-2-4-0.34-.04 adopted. F. and eff. Jan. 29, 1997, the date of adoption, to be in effect for 120 days or until the effective date of a permanent Rule covering the same subject matter is adopted, as specified by the Agency.

Amended: F. Apr. 23, 1997; eff. May 13, 1997.

Amended: F. Oct. 23, 1998; eff. Nov. 12, 1998.

Amended: F. Oct. 28, 1999; eff. Nov. 17, 1999.

Amended: F. Aug. 28, 2001; eff. Sept. 17, 2001.

Amended: F. Dec. 8, 2006; eff. Dec. 28, 2006.

Amended: Feb. 11, 2009; eff. Mar. 3, 2009.

Amended: F. Mar. 25, 2010; eff. Apr. 14, 2010.

Amended: F. Dec. 18, 2012; eff. Jan. 7, 2013.

Amended: F. Dec. 13, 2013; eff. Jan. 2, 2014.

Amended: F. Feb. 5, 2014; eff. Feb. 25, 2014.

Amended: F. Dec. 7, 2015; eff. Jan. 1, 2016, as specified by the Agency.

Amended: F. Feb. 7, 2018; eff. Mar. 1, 2018, as specified by the Agency.

Amended: F. Feb. 10, 2020; eff. Mar. 1, 2020.

Amended: F. Feb. 1, 2022; eff. Feb. 21, 2022.

Amended: F. June 22, 2022; eff. July 12, 2022.

Amended: F. Dec. 6, 2023; eff. Dec. 26, 2023.

Department 464. GEORGIA PEACE OFFICER STANDARDS AND TRAINING COUNCIL

Chapter 464-5. TRAINING

464-5-.21 Limited Purpose School (Academy)

(1) Definition.

(a) A Limited Purpose School (Academy) is defined as an academy that exists solely to provide a single type of mandated certification training such as Basic Jail Officer Training, Basic Communications Officer Training, and Forensic Investigator Training, and other mandated courses as identified by the Council.

(b) Basic Law Enforcement Officer Training (Mandate) shall not be included in this definition.

(2) Limited Purpose Schools Required to be Certified.

(a) The number of certified Limited Purpose Schools shall be limited by the Council and all schools seeking certification shall, prior to the submission of application for certification, satisfy the Council of such need for an additional school based upon a training workload need beyond the capacity and capabilities of the existing schools or academies.

(b) If the Council determines that such need does not exist, the Council shall notify the applicant thereof, and, upon request by the applicant, afford due notice and opportunity for hearing.

(c) If the Council, after affording such notice and opportunity for hearing, finds the need is not such to justify an additional academy, the applicant shall be advised in writing of the findings upon which such determination is based.

(3) Application for Certification of Limited Purpose Schools (Academies).

(a) Every agency or organ of this State, subdivision, or municipality thereof seeking Limited Purpose School certification shall make application on forms furnished by the Council and, in connection therewith, the Council shall require all answers to questions be under oath and that the applicant supply all information, and furnish all certificates, affidavits, and other requested supporting data.

(b) In all cases the application shall be made in the name of the agency or organ of this State, subdivision, or municipality, and the application shall show that the certification is for the use of the applicant.

(4) Limited Purpose School (Academy) Requirements.

(a) In order that a Limited Purpose School be qualified for certification under these Rules, all facilities and equipment related to administration of instructional courses shall be subject to inspection by POST Staff to ensure that the facilities are in compliance with applicable municipal, county, State, and federal fire, sanitation, building, and the Council regulations.

(b) Copies of inspection reports shall be made available to the Council upon request as evidence of compliance with said regulations; otherwise, a letter documenting compliance shall accompany the application.

(5) Limited Purpose School (Academy) Director

(a) A certified Limited Purpose School shall employ a Director who is certified by the Council. The Director of the Limited Purpose School shall function solely as the Director during the administration of courses at the Limited

Purpose School. When mandated training is being conducted, the Limited Purpose Academy Director shall have no additional duties assigned by the sponsoring agency which conflict with his/her duties as said Director.

(b) If the Limited Purpose School Director becomes incapacitated or otherwise unavailable, an acting Limited Purpose School Director shall be appointed for a period of time as is reasonable for the sponsoring agency to employ and certify a new Limited Purpose School Director.

(c) In order that a Limited Purpose School Director be qualified for certification under these Rules the following requirements shall be met:

1. At the time of making application for certification under these rules, a Limited Purpose School Director shall:

(i) Be qualified for instructor certification in accordance with Council Rules;

(ii) Have at least five years' experience in criminal justice;

(iii) Possess good moral character.

2. No Limited Purpose School Director shall be certified under these Rules without having completed an application as required by the Council. Said application shall be submitted within ninety (90) days of appointment as a Limited Purpose School Director.

(6) Limited Purpose School (Academy) Instructor Requirements.

(a) Any person employed or utilized as staff or faculty of a certified Limited Purpose School shall be required to be a Level II (General) Instructor or higher as defined by Council rules. No Level I Instructors will be permitted to teach Basic Certification Courses at a Limited Purpose School (Academy).

(7) Limited Purpose School (Academy) Advisory Board.

(a) There shall be no requirement for an advisory board of a Limited Purpose School.

(8) Limited Purpose School (Academy) Period of Certification. Annual Renewals.

(a) Certification of a Limited Purpose Academy shall continue in effect for twelve calendar months commencing with the award of a certificate. The Council shall evaluate each certified Limited Purpose School within twelve calendar months commencing with the award of the certificate and annually thereafter to determine continued compliance with the qualification requirements of Council rules, adherence to contractual obligations, and maintenance of acceptable instructional quality.

(b) The Council shall award letters of renewal to schools found in continued compliance. Any certified Limited Purpose School shall, upon notice from the Council of a pending audit, provide whatever documentation to Council as requested to assist in the audit.

(9) Failure to Comply. Limited Purpose Schools.

(a) The Council shall deny certification to any Limited Purpose School which fails to comply with the certification provisions of this Chapter.

(b) The Council may suspend, revoke, place on probation, reprimand, or refuse to renew the certification at any time of any Limited Purpose School which fails to maintain the qualifications provided by this Chapter.

(10) Reapplication: Reinstatement. Limited Purpose Schools.

(a) Any Limited Purpose School to which certification has been denied, has been revoked, or has lapsed, may reapply or petition the Council for re-certification no sooner than six months after action by the Council becomes final.

(b) The Council may require a hearing at which time an affected School shall show cause why its application should be accepted or its petition granted.

(11) Information and Inspection.

(a) Any Limited Purpose School certified or seeking certification under these Rules shall supply such information or assist in such reasonable inspection as the Council deems necessary.

Cite as Ga. Comp. R. & Regs. R. 464-5-.21

AUTHORITY: O.C.G.A. § [35-8-7 \(23\)](#).

HISTORY: Original Rule entitled "Limited Purpose School (Academy)" adopted. F. Dec. 29, 2023; eff. Jan. 18, 2024.

Department 505. PROFESSIONAL STANDARDS COMMISSION

Chapter 505-2. CERTIFICATION

505-2-.195 School Safety and Anti-Gang Endorsement

(1) Requirements.

(a) Issuance.

1. Hold a valid certificate or license as follows:

(i) Certificate: Advanced Professional, 5-Year Induction, Lead Professional, Life, Performance-Based Professional, Permit, Retired, and Standard Professional.

(ii) License: Adjunct, Educational Interpreter, Non-Instructional Aide, Paraprofessional, and Support Personnel.

2. Complete GaPSC-accepted coursework for the School Safety and Anti-Gang Endorsement Program offered by the Georgia Emergency Management and Homeland Security Agency (GEMA/HS), Georgia Department of Education (GaDOE), Georgia Department of Juvenile Justice (DJJ), and Georgia Public Safety Training Center (GPSTC).

3. Meet Standards of Conduct.

4. Apply for certification following procedures outlined in [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) Renewal.

1. Meet requirements outlined in the GaPSC Rule [505-2-.36](#) RENEWAL REQUIREMENTS or in the individual licensure rule.

2. Meet Standards of Conduct.

3. Apply for certification following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(2) Implementation.

(a) Individuals who completed approved coursework for the endorsement prior to the rule effective date will meet legacy provisions.

(3) Restrictions.

(a) Individuals holding only a Clearance certificate, which indicates waiving of certification, may add the endorsement upon completion of requirements for issuance of one of the certificate or license types outlined in (1)(a)1.

(b) Individuals employed in positions that do not require certification or hold a non-qualifying certificate or license may complete the endorsement but are unable to add the field until holding a qualifying certificate or license.

(4) Validity.

(a) The School Safety and Anti-Gang Endorsement will be issued with the same validity as the base certificate or license.

(5) In-Field Statement (See GaPSC Rule [505-2-.40](#) IN-FIELD ASSIGNMENT).

(a) An individual with the School Safety and Anti-Gang Endorsement has strengthened and enhanced competency levels in multidisciplinary best practices for promoting and preserving safe schools and for identifying and deterring youth gangs.

Cite as Ga. Comp. R. & Regs. R. 505-2-.195

AUTHORITY: O.C.G.A. § [20-2-200](#).

HISTORY: Original Rule entitled "School Safety and Anti-Gang Endorsement" adopted. F. Dec. 14, 2023; eff. Jan. 1, 2024, as specified by the Agency.

Department 505. PROFESSIONAL STANDARDS COMMISSION

Chapter 505-3. EDUCATOR PREPARATION RULES

505-3-.01 Requirements and Standards for Approving Educator Preparation Providers and Educator Preparation Programs

(1) **Purpose.** This rule states requirements and standards for the approval of educator preparation providers (EPPs) and programs for the initial and continuing preparation of educators in Georgia.

(2) **Definitions.**

(a) Accreditation: (1) A process for assessing and enhancing academic and educational quality through external, often voluntary, peer review. (2) A decision awarded and process certified by an accrediting organization. For the purposes of educator preparation provider (EPP) and program approval, GaPSC recognizes three (3) types of accreditation: Regional Accreditation, National Accreditation, and Specialized Accreditation. Each type of accreditation is defined in subsequent definitions.

(b) Administrative Approval: A process used in lieu of the Developmental Approval Review exclusively for endorsement programs and available only to GaPSC-approved EPPs. Administrative approval involves a staff review of an approval application and a curriculum map in which key assessments are described and mapped to program content standards. After an endorsement program is administratively approved, it will be reviewed against all applicable standards in the EPP's next Continuing Approval Review.

(c) Advanced Preparation/Degree-Only Program: An educator preparation program at the post-baccalaureate level for the continuing education of educators who have previously completed initial preparation and are certified in the program's subject area or field of certification. Advanced preparation/degree-only programs commonly award graduate credit and include masters, specialist, and doctoral degree programs.

(d) Approval: A process for assessing and enhancing academic and educational quality through peer review, to assure the public that an educator preparation provider (EPP) and/or program has met institutional, state, and national standards of educational quality; also, a Georgia Professional Standards Commission (GaPSC) decision rendered when an EPP or program meets GaPSC standards and annual reporting requirements.

(e) Approval Review: Examination of evidence and interviews of stakeholders conducted by GaPSC site visitors either on-site at an institution/agency, or electronically using web and telephone conferencing systems as part of a Developmental, First Continuing, Continuing, Focused, or Probationary Review. Although not an approval review, the Substantive Change process is used when certain changes are made to the design or operations of approved program (see definition aq, below).

(f) B/P-12: Formerly P-12, the term *B/P-12* references schools serving children aged birth to grade 12.

(g) Branch Campus: A campus that is physically detached from the parent university or college and has autonomous governance. A branch campus generally has full student and administrative services with a CEO and is regionally accredited separately from the parent campus. For approval purposes, GaPSC considers branch campuses distinct from the parent institution and therefore a separate EPP. For approval purposes, a branch campus located in the state of Georgia having an original, or main, campus located in another state or country is considered an out-of-state institution and is therefore ineligible to seek GaPSC approval as an EPP.

(h) Candidates/Teacher Candidates: Individuals enrolled in programs for the initial or advanced preparation of educators, programs for the continuing professional development of educators, or programs for the preparation of other professional school personnel. Candidates are distinguished from students in B/P-12 schools. Candidates in

programs leading to Teaching (T) certification may also be referred to as Pre-service Teacher Candidates. (The term *enrolled* is used in the GaPSC approval process to mean the candidate is admitted and taking classes.)

(i) Clinical Educators: All educator preparation provider (EPP) and P-12 school-based individuals, including classroom teachers, who assess, support, and develop a candidate's knowledge, skills, or professional dispositions at some stage in the clinical experiences. The term *Clinical Educators* is intended to be inclusive of the roles of Mentor Teacher, B/P-12 Supervisor, and Faculty Supervisor. EPPs are expected to clearly define the roles and responsibilities of all clinical educators with whom candidates interact.

(j) Clinical Practice: Culminating residency (formerly referred to as *student teaching*) or internship experiences with candidates placed in classrooms for at least one (1) full semester where they experience intensive and extensive practices in which they are fully immersed in the learning community and provided opportunities to develop and demonstrate competence in the professional roles for which they are preparing. In initial preparation programs in Service (S) and Leadership (L) fields, candidates will complete such culminating residency or internship experiences in placements that allow the knowledge, skills, and dispositions included in the programs to be practiced and applied. In non-traditional preparation programs, such as GaTAPP, clinical practice is job-embedded as candidates must be hired as a classroom teacher to be admitted to the program.

(k) Content Knowledge: The central concepts, tools of inquiry, and structures of a discipline (Source: CAEP Glossary).

(l) Council for the Accreditation of Educator Preparation (CAEP): The national accreditation organization formed as a result of the unification of the National Council for the Accreditation of Teacher Education (NCATE) and the Teacher Education Accreditation Council (TEAC). CAEP advances excellence in educator preparation through evidence-based accreditation that assures quality and supports continuous improvement to strengthen B/P-12 student learning. CAEP accredits educator preparation providers (EPPs).

(m) Dispositions: Moral commitments and professional attitudes, values, and beliefs that underlie educator performance and are demonstrated through both verbal and non-verbal behaviors as educators interact with students, families, colleagues, and communities.

(n) Distance Learning: A formal educational process in which instruction occurs when candidates and the instructor are not in the same place at the same time. Distance learning can occur through virtually any media including asynchronous or synchronous, electronic or printed communications.

(o) Distance Learning Program: A program delivered primarily (50% or more contact hours) through distance technology in which the instructor of record and candidates lack face-to-face contact and instruction is delivered asynchronously or synchronously (see definition n). These preparation programs include those offered by the EPP through a contract with an outside vendor or configured as a consortium with other EPPs, as well as those offered solely by the provider.

(p) Dyslexia and Other Related Disorders: Dyslexia is a specific learning disability that is neurological in origin, which is characterized by difficulties with accurate or fluent word recognition and by poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede the growth of vocabulary and background knowledge. Other related disorders include aphasia, dyscalculia, and dysgraphia.

1. Aphasia: Aphasia is a condition characterized by either partial or total loss of the ability to communicate verbally or through written words. A person with aphasia may have difficulty speaking, reading, writing, recognizing the names of objects, or understanding what other people have said. The condition may be temporary or permanent and shall not include speech problems caused by loss of muscle control.

2. **Dyscalculia:** Dyscalculia is the inability to understand the meaning of numbers, the basic operations of addition and subtraction, or the complex operations of multiplication and division or to apply math principles to solve practical or abstract problems.

3. **Dysgraphia:** Dysgraphia is difficulty in automatically remembering and mastering the sequence of muscle motor movements needed to accurately write letters or numbers.

(q) **Educator Preparation Program:** A planned sequence of courses and experiences for preparing B/P-12 teachers and other professional school personnel that leads to a state certification. The three (3) types of educator preparation programs are described in definitions aa (Initial), s (Endorsement), and c (Advanced/Degree-Only).

(r) **Educator Preparation Provider (EPP):** The institution of higher education (IHE), college, school, department, agency, or other administrative body responsible for managing or coordinating all programs offered for the initial and continuing preparation of teachers and other school personnel, regardless of where these programs are administratively housed.

(s) **Endorsement Program:** A planned sequence of courses and experiences, typically three (3) to four (4) courses in length, designed to provide educators with an additional, specific set of knowledge and skills, or to expand and enhance existing knowledge and skills. Successful completion of an endorsement program results in the addition of the endorsement field to the Georgia educator certificate designating expertise in the field. Endorsement programs may be offered as non-credit bearing programs, or they may lead to college credit; they must be approved by the GaPSC and administered by a GaPSC-approved EPP, and may be offered as either a stand-alone program or, unless otherwise specified in GaPSC Educator Preparation Rules [505-3-.82](#) through [505-3-.115](#), embedded in an initial preparation or advanced/degree-only program. Depending on the needs of the individual educator, endorsement programs may also be included as a part of an educator's professional learning plan/goals. See GaPSC Rule [505-2-.14](#), ENDORSEMENTS.

(t) **EPP Readiness Framework:** Formerly called *Preconditions*. Fundamental requirements that undergird the GaPSC standards that must be met as a first step in the approval process and before an EPP is permitted to schedule a Developmental Approval Review.

(u) **Field Experiences:** Activities that include organized and sequenced engagement of candidates in settings providing opportunities to observe, practice, and demonstrate the knowledge, skills, and dispositions delineated in institutional, state, and national standards. The experiences must be systematically designed and sequenced to increase the complexity and levels of engagement with which candidates apply, reflect upon, and expand their knowledge and skills. Since observation is a less rigorous method of learning, emphasis should be on field experience sequences requiring active professional practice or demonstration, and including substantive work with B/P-12 students and B/P-12 personnel as appropriate. In non-traditional preparation programs (e.g., GaTAPP), field experiences occur outside candidates' classrooms with students with different learning needs and varied backgrounds in at least two (2) settings during the clinical practice.

(v) **First Continuing Review:** The First Continuing Review is conducted three (3) to four (4) years after a Developmental Review to determine if the EPP and/or initial educator preparation program(s) have evidence of meeting all applicable standards.

(w) **Georgia Teacher Academy for Preparation and Pedagogy (GaTAPP):** Georgia's non-traditional preparation program for preparing career changers for certification as B/P-12 teachers. See GaPSC Rule [505-3-.05](#) GEORGIA TEACHER ACADEMY FOR PREPARATION AND PEDAGOGY (GaTAPP).

(x) **Grade Point Average (GPA):** A quantitative indicator of candidate achievement. Letter grades are converted to numbers and averaged over a period of time.

(y) **Induction:** (1) The formal act or process of placing an individual into a new job or position and providing appropriate support during the first three (3) years of employment. The Georgia Department of Education defines The Induction Phase Teacher as any teacher who has been hired into a new permanent position in any Georgia

school. (2) A Georgia level of professional educator certification; for additional information see GaPSC Rule 505-2-.04 INDUCTION CERTIFICATE.

(z) Information Literacy: An intellectual framework for understanding, finding, evaluating, and using information - activities which may be accomplished in part by fluency with information technology, in part by sound investigative methods, but most importantly, through critical discernment and reasoning (adopted from The Association of College and Research Libraries).

(aa) Initial Preparation Program: A program designed to prepare candidates for their initial, or first professional certificate in a Teaching (T), Leadership (L), or Service (S) field. Examples include degree programs at the baccalaureate, masters, or higher levels; or post-baccalaureate programs, non-degree certification-only programs, and non-traditional programs, such as the Georgia Teacher Academy for Preparation and Pedagogy (GaTAPP) or Alternative Preparation for Educational Leadership program. Programs leading to an educator's first certificate in a particular field are considered initial preparation even if the educator is certified in one or more other fields.

(ab) Local Unit of Administration (LUA): A local education agency, including but not limited to public, waiver, Investing in Educational Excellence (IE2), charter schools and private schools (e.g., faith-based schools, early learning centers, hospitals, juvenile detention centers, etc.). As referenced in GaPSC Certification Rule [505-2-.01](#) GEORGIA EDUCATOR CERTIFICATION, paragraph (2) (d) 1, for employment purposes GaPSC Certification Division staff consider all non-IHEs as LUAs.

(ac) Media Literacy: The ability to encode and decode the symbols transmitted via media and the ability to access, analyze, evaluate, and communicate information in a variety of forms, including print and non-print messages. Also known as the skillful application of literacy skills to media and technology messages (adopted from the National Association for Media Literacy Education).

(ad) Mentor Teacher: A B/P-12 employed teacher and an expert practitioner who supports the development of a pre-service or novice teacher by assessing and providing feedback on instructional practice; interactions with students, colleagues, and parents; classroom management; and professionalism. Mentor teachers are typically involved with faculty supervisors in the formal supervision and evaluation of pre-service clinical practice experiences (residency/internship). The term *Mentor Teacher* is often used synonymously with the terms *Cooperating Teacher* and *B/P-12 Supervisor*. The terms *B/P-12 Supervisor* and *Faculty Supervisor* are described in definition au.

(ae) National Accreditation: National accreditation is conducted by an accrediting organization which develops evaluation criteria and conducts peer evaluations to assess whether or not those criteria are met. National accrediting agencies operate throughout the country and review entire institutions, EPPs, or programs in specific content fields. The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) is an example of a national accrediting organization that reviews institutions. CAEP (see definition l) is an example of a national accrediting organization that reviews EPPs. The National Association of Schools of Music (NASM) is an example of a national accrediting organization that reviews programs in a specific field.

(af) Nationally Recognized Program: A program that has met the standards of a national specialized professional association (SPA) that is a constituent member of CAEP. The term *National Recognition* signifies the highest level of SPA recognition awarded to programs.

(ag) Non-traditional Teacher Preparation Program (GaTAPP): A program designed to prepare individuals who at admission hold an appropriate degree with verified content knowledge through a major or its equivalent in the content field or a passing score on the state-approved content assessment in the content field. If the state-approved content knowledge was not required at admission, it must be passed for program completion. Non-traditional teacher preparation programs lead only to a certificate, not to a degree or college credit and:

1. Feature a flexible timeframe for completion;
2. Are job-embedded, allowing candidates to complete requirements while employed by a regionally accredited local unit of administration (school district or private school), a charter school approved by the Georgia State

Charter School Commission, or a charter school approved by the Georgia Department of Education as a classroom teacher full-time or part-time for at least a half day;

3. Require that candidates are supported by a Candidate Support Team;

4. Require an induction component that includes coaching and supervision;

5. Provide curriculum, performance-based instruction, and assessment focused on the pedagogical knowledge, skills, and dispositions necessary for the candidate to teach his/her validated academic content knowledge; and

6. Are individualized based on the needs of each candidate with respect to content knowledge, pedagogical skills, learning modalities, learning styles, interests, and readiness to teach. See GaPSC Rule [505-3-.05](#) GEORGIA TEACHER ACADEMY FOR PREPARATION AND PEDAGOGY (GaTAPP).

(ah) Out-of-State Institution: An institution of higher education administratively based in a state within the United States other than Georgia, or another country.

(ai) Pedagogical Content Knowledge: A core part of content knowledge for teaching that includes: core activities of teaching, such as determining what students know; choosing and managing representations of ideas; appraising, selecting and modifying textbooks; and deciding among alternative courses of action and analyzing the subject matter knowledge and insight entailed in these activities (Source: adapted from the CAEP Glossary).

(aj) Pedagogical Knowledge: The broad principles and strategies of classroom instruction, management, and organization that transcend subject matter knowledge (Source: CAEP Glossary).

(ak) Pedagogical Skills: An educator's abilities or expertise to impart the specialized knowledge/content and skills of their subject area(s) (Source: CAEP Glossary).

(al) Preparation Program Effectiveness Measures (PPEMs): A set of common measures applied to all teacher preparation programs leading to initial certification in a field. Teacher Preparation Program Effectiveness Measures (TPPEMs) are further defined in GaPSC Rule [505-3-.02](#) EDUCATOR PREPARATION PROVIDER ANNUAL REPORTING AND EVALUATION.

(am) Program Completer: A person who has met all the requirements of a GaPSC-approved or state-approved out-of-state educator preparation program to include all GaPSC requirements such as attempting all assessments required for state certification.

(an) Regional Accreditation: Regional accreditation is conducted by an accrediting organization that develops evaluation criteria and conducts peer evaluations to assess whether or not those criteria are met. Six (6) regional accreditors operate in the United States to conduct educational accreditation of public, private, for-profit, and not-for-profit schools, colleges, and universities in their regions. The Southern Association of Colleges and Schools (SACS) is the regional accreditor for the southern region. The SACS accrediting organization for P-12 schools is the Council on Accreditation and School Improvement (SACSCASI), also known as Cognia. The SACS accrediting organization for institutes of higher education is the Commission on Colleges (SACSCOC).

(ao) Specialized Accreditation: Specialized accrediting organizations operate throughout the country to review programs and some single-purpose institutions. Like national and regional accreditors, specialized accreditation organizations develop evaluation criteria and conduct peer evaluations to assess whether or not those criteria are met.

(ap) Specialized Professional Association (SPA): A constituent member of CAEP representing a particular disciplinary area that develops standards for the approval of educator preparation programs in that area and reviews programs for compliance with those standards.

(aq) Substantive Change Procedure: Process used for EPPs to submit changes that are considered significant, including additional levels of program offerings and changes to key assessments or leadership personnel.

(ar) Supervisor: An individual involved in the oversight and evaluation of educator preparation candidates during field and clinical experiences. In most cases one or more individuals are involved in the formal supervision of clinical experiences-a supervisor employed by the EPP and one or more supervisors employed by the B/P-12 site hosting a pre-service educator. The term *Faculty Supervisor* refers to the employee of the EPP and the term *B/P-12 Supervisor* (sometimes referred to as Mentor Teacher or Cooperating Teacher) refers to the school-based employee who hosts a pre-service educator for the culminating residency or internship.

(as) Technology Literacy: Using technology as a tool to research, organize, evaluate, and communicate information and understanding the ethical and legal issues surrounding the access and use of information.

(at) Traditional Preparation Program: A credit-bearing program designed for the preparation of educators offered by an institution of higher education.

(au) Year-long Residency: An extended clinical practice lasting the entire length of the B/P-12 school year, in the same school, in which candidates have more time to practice teaching skills with students under the close guidance of experienced and effective B/P-12 teachers licensed in the content area the candidate is preparing to teach. Candidates fully participate in the school as a member of the faculty, including faculty meetings, parent conferences, and professional learning activities spanning, if feasible, the beginning (e.g., pre-planning) and ending (post-planning) of the academic year. (Candidates may participate in post-planning at the end of the junior year if it is not possible for them to participate at the end of the senior year). These extended residencies also include supervision and mentoring by a representative of the preparation program who, along with the B/P-12 supervisor, ensures the candidate is ready for program completion and is eligible for state certification.

(3) GENERAL REQUIREMENTS APPLICABLE TO ALL EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

(a) Authorization for the establishment of Georgia Educator Preparation Providers (EPPs).

1. The following types of organizations administratively based in the state of Georgia (as determined by the location of the office of the President or the single highest ranking executive officer of the institution/agency/organization) are eligible to seek GaPSC approval as an EPP for the purpose of preparing educators: Regionally accredited institutions of higher education; regionally accredited local units of administration with student enrollment over 30,000; Regional Educational Service Agencies (RESAs); and other education service organizations.

2. Out-of-state organizations that are Accredited without conditions or probation by the Council for the Accreditation of Educator Preparation (CAEP) and that are approved without conditions or probation by the state in which the organization is administratively based are eligible to seek GaPSC approval to offer, through a branch or satellite campus and/or by online delivery, non-credit-bearing certification-only programs leading to initial teacher certification. Out-of-state program providers offering credit-bearing and/or degree-granting programs are not eligible for GaPSC approval. Once approved by GaPSC, an out-of-state organization must maintain CAEP Accreditation and home state approval in good standing (without conditions or probation) to continue qualifying for GaPSC approval.

(b) Accreditation of Institutions/Agencies with an Educator Preparation Provider (EPP).

1. Institutions of higher education with a college, school, department or other entity that is a GaPSC-approved EPP shall be fully accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), at the level(s) of degree(s) granted by the institution. The institution shall submit program(s) for GaPSC approval corresponding to the appropriate level of accreditation and in a field recognized for certification by the GaPSC. If an institution has submitted an application for change in degree level to a GaPSC-accepted regional accreditation agency, and is seeking Developmental Approval of a program(s) at the proposed new degree level by the GaPSC, the institution must be regionally accredited at the new degree level prior to approval review by the GaPSC. See GaPSC Rule [505-2-.31](#) GaPSC-ACCEPTED ACCREDITATION FOR CERTIFICATION PURPOSES.

2. Local education agencies, RESAs, or other approved, non-IHE providers shall admit candidates who hold degrees from a GaPSC-accepted accredited institution of higher education appropriate for the certificate sought. GaPSC-approved EPPs offering Career Technical and Agricultural Education (CTAE) programs, including GaTAPP providers, may admit individuals who do not hold post-secondary degrees who are seeking CTAE certification in certain fields (see GaPSC Rule [505-3-.05](#) GEORGIA TEACHER ACADEMY FOR PREPARATION AND PEDAGOGY (GaTAPP). See GaPSC Rule [505-2-.31](#) GaPSC-ACCEPTED ACCREDITATION FOR CERTIFICATION PURPOSES for a list of acceptable accrediting agencies.

(c) GaPSC Approval of Educator Preparation Providers (EPPs).

1. An EPP and/or program(s) shall be approved by its governing board prior to seeking GaPSC approval for the first time (Developmental Approval). Once an EPP is approved by GaPSC, subsequent submission of programs for approval may be made as long as governing board approval is in process and completed 45 days prior to the formative portion of the GaPSC program approval review.

2. GaPSC approval standards for EPPs and programs shall at a minimum be adapted from the most recent version of the standards of the Council for the Accreditation of Educator Preparation (CAEP).

3. EPPs administratively based in the state of Georgia for which GaPSC has regulatory authority may choose to seek and/or maintain CAEP accreditation. If the accreditation visit was conducted jointly by GaPSC and CAEP, the GaPSC will accept CAEP accreditation of an EPP and the EPP shall be recognized as approved by GaPSC until the end of the seven (7)-year approval cycle, or for a shorter period of time if, during the seven (7)-year cycle GaPSC action is necessitated by persistently low (Low Performing) status or non-compliance with GaPSC rules. If CAEP accreditation of the EPP is delayed, denied, or revoked, GaPSC will render an EPP approval decision. If the accreditation visit is conducted solely by CAEP, GaPSC approval of the EPP will be based upon the implementation of the state approval process and a final EPP approval decision will be rendered by the Georgia Professional Standards Commission. Program approval is contingent upon EPP approval.

4. LUAs, qualifying organizations (see paragraph (3) (a) 1 and 2), and IHEs seeking GaPSC approval as an EPP shall follow all applicable GaPSC policies and procedures to include the EPP Readiness Framework to determine eligibility for a review, approval review requirements, post review requirements, Commission decisions, public disclosure policy, and annual reporting procedures. In order to maintain approval status, all GaPSC-approved EPPs must maintain regional or GaPSC-accepted accreditation and must comply with all applicable GaPSC rules and policies including, but not limited to, those regarding Preparation Program Effectiveness Measures annual reporting, and data submission requirements. Failure by GaPSC-approved EPP to fully comply with GaPSC Educator Preparation, Certification, and Ethics Rules, Commission approval decisions, or agency procedures and/or requirements may result in changes in approval status up to and including revocation of approval. Failure to comply with federal reporting requirements may result in fines.

5. EPPs must have completed the GaPSC approval process and be approved by the GaPSC before candidates are enrolled in educator preparation programs and begin taking classes.

6. For EPPs offering initial preparation programs leading to a Teaching (T), Leadership (L), or Service (S) certificate, GaPSC EPP approval cycles shall include Developmental Approval valid for three (3) years and Continuing Approval valid for seven (7) years. The Developmental Approval Review is used to determine if a new EPP has the capacity to meet state standards and it is followed, in three (3) to four (4) years, by a First Continuing Review to determine if the EPP has evidence of meeting state standards. Following the First Continuing Review, the GaPSC will conduct Continuing Reviews of the EPP and all preparation programs at seven (7) year intervals. For IHEs seeking to maintain CAEP accreditation, the state Continuing Review will be scheduled such that the state review will be completed and the resulting GaPSC approval decision will be rendered prior to the beginning of the CAEP site visit. GaPSC will require a Focused Approval Review or a Probationary Review of an approved or accredited EPP and/or its educator preparation programs in fewer than seven (7) years if annual performance data indicate standards are not being met, or if a previous approval review indicates pervasive problems exist that limit provider capacity to offer programs capable of meeting standards and requirements specified in GaPSC educator preparation and certification rules, or if GaPSC staff determine the EPP is out of compliance with state rules.

7. For EPPs offering only endorsement programs, GaPSC EPP approval cycles shall include Developmental Approval valid for seven (7) years and Continuing Approval every seven (7) years thereafter.

8. GaPSC-approved EPPs shall comply with all GaPSC reporting requirements, to include the submission of data in all appropriate candidate-level, program-level, and EPP-level reporting systems (e.g., Traditional Program Management System [TPMS], Non-Traditional Reporting System [NTRS], Provider Reporting System [PRS], and federal annual reports on the performance of the EPP and all educator preparation programs). Out-of-state EPPs offering initial teacher preparation programs to Georgia residents and/or to residents of other states who fulfill field and clinical experiences in Georgia B/P-12 schools shall comply with all applicable GaPSC reporting requirements, to include the submission of data in TPMS and other systems that may become applicable. EPPs shall report according to the schedules and timelines below and shall accurately provide all data elements. Failure to report on time and accurately may negatively impact EPP approval status. See GaPSC Rule [505-3-.02](#) EDUCATOR PREPARATION PROVIDER ANNUAL REPORTING AND EVALUATION.

(i) Enrollments. GaPSC-approved EPPs and out-of-state EPPs with candidates completing field and clinical experiences in Georgia schools shall, through the appropriate GaPSC reporting system (i.e., Non-Traditional Reporting System [NTRS] or Traditional Program Management System [TPMS]), enter all applicable data for candidates enrolled in Teaching (T), Leadership (L), and Service (S) field programs leading to initial Georgia certification, and in Endorsement programs according to the following schedule:

(I) October 31: The deadline for entering all candidates enrolled in current academic year summer and fall semesters.

(II) March 31: The deadline for entering all candidates enrolled in current academic year spring semester.

(ii) Completions and Withdrawals. GaPSC-approved EPPs and out-of-state EPPs with candidates completing field and clinical experiences in Georgia schools shall, through the appropriate GaPSC reporting system (i.e., Non-Traditional Reporting System [NTRS] or Traditional Program Management System [TPMS]), enter all applicable data related to candidate completions and withdrawals within sixty (60) days of the event.

(iii) For federal, Title II, reporting purposes, October 7 is the deadline for entering all initial teaching candidates who were enrolled, withdrawn, or completed a GaPSC-approved program during the prior reporting year (September 1 - August 31).

9. GaPSC-approved EPPs shall notify all enrolled candidates when EPP and/or program approval is revoked or when approval status is changed to Probation. Notification must be made within sixty (60) days after such a GaPSC decision is granted, in written form via letter or e-mail, and a copy must be provided to GaPSC by the EPP head. This notification must clearly describe the impact of the approval status change on candidates and the options available to them. EPPs must maintain records of candidates' acknowledgement of receipt of the notification.

(d) GaPSC Approval of Educator Preparation Programs.

1. Educator preparation programs leading to Georgia educator certification shall be offered only by GaPSC-approved EPPs (reference paragraph (3) (c) 3). All initial preparation programs and endorsement programs must be approved by the GaPSC.

2. GaPSC-approved EPPs seeking approval to add new initial preparation programs may submit the programs for GaPSC approval prior to receiving governing board approval, as long as governing board approval is granted forty-five (45) days prior to the formative portion of the approval review.

3. GaPSC-approved EPPs seeking approval for preparation programs leading to Georgia educator certification shall follow all applicable GaPSC program approval policies and procedures in effect at the time of the requested approval and shall comply with revised policies in accordance with timelines published by the GaPSC.

4. Initial educator preparation programs and endorsement programs shall be approved by the GaPSC before candidates are enrolled and begin program coursework.

5. GaPSC-approved EPPs, in conjunction with preparations for an EPP approval review, shall submit program reports conforming to GaPSC program standards and program review requirements for approval. Programs may also be submitted to GaPSC-accepted Specialized Professional Associations or program accrediting agencies for national recognition or accreditation. If the highest level of recognition or accreditation, in most cases National Recognition or Accreditation, is granted for a program, state approval procedures will be reduced to remove duplication and will include only those components necessary to ensure Georgia-specific standards and requirements are met. Programs submitted for national recognition or accreditation that are not granted National Recognition (e.g., granted Recognition with Conditions or any level of recognition lower than National Recognition) or Accreditation must comply with all applicable GaPSC program approval review requirements. See the guidance document accompanying this rule for the list of GaPSC-accepted SPAs and program accrediting agencies.

6. GaPSC approval of initial preparation programs in Teaching (T), Leadership (L), and Service (S) fields shall include a Developmental Approval Review to determine if the new educator preparation program has the capacity to meet state standards. Developmental Approval is valid for three (3) to four (4) years and is followed by a First Continuing Review to determine if the educator preparation program has evidence of meeting state standards. Following the First Continuing Review, the GaPSC will conduct Continuing Reviews of the educator preparation programs in conjunction with the EPP Continuing Review at seven (7) year intervals.

7. GaPSC approval of new endorsement programs shall include an Administrative Approval process to determine if the new program has the capacity to meet state standards followed by a Continuing Approval Review of the program in conjunction with the next scheduled EPP Continuing Review, and Continuing Reviews every seven (7) years thereafter.

8. The GaPSC will require a Focused Approval Review or a Probationary Review of an approved educator preparation program in fewer than seven (7) years if a previous approval review indicates pervasive problems exist limiting program capacity to meet standards and requirements specified in GaPSC educator preparation and certification rules.

9. GaPSC-approved EPPs shall submit program(s) for GaPSC approval corresponding to the appropriate level of preparation (initial or endorsement) and in a certification field authorized in GaPSC Certification Rules. Although advanced/degree-only preparation programs are neither reviewed nor approved by GaPSC, those accepted by GaPSC for the purposes of certificate level upgrades must be listed in the GaPSC Certificate Upgrade Advisor.

10. GaPSC-approved EPPs shall make program decisions based upon program purpose, institutional mission, supply and demand data, and B/P-12 partner needs, and shall attempt to include a variety of options for program completion (e.g., multiple delivery models, degree options, and individualized programs; additional examples are provided in the guidance document accompanying this rule).

11. Ongoing GaPSC approval of educator preparation programs is contingent upon EPP approval status, the performance of the EPP and its programs, and compliance with GaPSC rules and reporting requirements. (See GaPSC Educator Preparation Rule [505-3-.02](#) EDUCATOR PREPARATION PROVIDER ANNUAL REPORTING AND EVALUATION.)

12. Out-of-state institutions offering initial teacher preparation programs to Georgia residents and/or to residents of other states who fulfill field and clinical experiences in Georgia B/P-12 schools shall ensure their candidates hold the Georgia Pre-Service Certificate prior to beginning any field and clinical experiences in any Georgia B/P-12 school required during program enrollment. The requirements for this certificate are outlined in GaPSC Rule [505-2-.03](#) PRE-SERVICE TEACHING CERTIFICATE. Out-of-state institutions preparing candidates for Georgia certification must also ensure their candidates meet all program assessment requirements outlined in this rule in paragraphs (3) (e) (6); the requirements specified in GaPSC Certification Rule [505-2-.22](#) CERTIFICATION BY STATE-APPROVED PROGRAM, paragraph (2) (d) 2; and the requirements outlined in GaPSC Certification Rule [505-2-.04](#) INDUCTION CERTIFICATE, including the required amount of time spent in the culminating clinical experience (i.e., student teaching or internship occurring after, and not including, field experiences), and passing the ethics and content assessments.

13. Out-of-state institutions offering initial teacher preparation programs to Georgia residents and/or to residents of other states who fulfill field and clinical experiences in Georgia B/P-12 schools are subject to all applicable data collection requirements referenced in paragraph (3) (c) 8. and described in GaPSC Rule [505-3-.02](#) EDUCATOR PREPARATION PROVIDER ANNUAL REPORTING AND EVALUATION.

(e) Educator Preparation Program Requirements.

1. Admission Requirements.

(i) The Georgia Educator Ethics Assessment must be passed prior to enrollment in a traditional or non-traditional initial educator preparation program and to qualify for the Pre-Service Teaching Certificate (see GaPSC Rule [505-2-.03](#) PRE-SERVICE TEACHING CERTIFICATE).

(ii) GaPSC-approved EPPs shall ensure candidates admitted to initial preparation programs at the post-baccalaureate level have attained appropriate depth and breadth in both general and content studies, with a minimum of a bachelor's degree from a GaPSC-accepted accredited institution. Candidates seeking certification in Career Technical and Agricultural Education (CTAE) fields must hold a high school diploma or GED, or an associate's degree or higher in the field of certification sought, as delineated in applicable GaPSC Certification Rules. CTAE candidates admitted with a high school diploma or GED must complete both the associate's degree and the initial teacher preparation program to earn a professional certificate. The preparation program must be completed within three years; an additional year is allowable if needed to complete the associate's degree.

2. Pre-service Certificate Request.

(i) EPPs must request the Pre-Service Certificate for all candidates admitted to traditional initial teacher preparation programs at the baccalaureate level or higher, except for candidates who hold a valid professional Georgia teaching certificate and are currently employed in a Georgia school. Out-of-state EPPs must request the Pre-Service Certificate for candidates enrolled in initial teacher preparation programs and completing field and clinical experiences in Georgia B/P-12 schools; such candidates must be enrolled in programs leading to a certification field offered by the GaPSC. See GaPSC Rule [505-2-.03](#) PRE-SERVICE TEACHING CERTIFICATE for Pre-Service certification requirements.

(ii) Successful completion of a criminal record check is required to earn the Pre-Service Certificate.

3. Candidate Monitoring and Support. EPPs shall monitor each cohort aggregate GPA for changes, document any point at which the cohort GPA is less than 3.0, disaggregate the data by race and ethnicity and any other mission-related categories, analyze the data to identify specific needs for candidate support, and develop and implement plans to provide the needed supports.

4. Program Content and Curriculum Requirements.

(i) Preparation programs for educators prepared as teachers shall incorporate the latest version of the Teacher Assessment on Performance Standards (TAPS) published by the Georgia Department of Education. Preparation programs for educators prepared as leaders shall incorporate these standards into those courses related to instructional leadership to assure leadership candidates understand the TAPS standards as they apply to the preparation and continued growth and development of teachers.

(ii) GaPSC-approved EPPs shall require a major or equivalent in all middle grades, secondary, and in P-12 fields where appropriate such as certain Special Education programs, which require fifteen (15) semester hours of academic content. The equivalent of a major is defined for middle grades (4-8) as a minimum of fifteen (15) semester hours of coursework in the content field and for secondary (6-12) as a minimum of twenty-one (21) semester hours of coursework in the content field. Content field coursework must meet expected levels of depth and breadth in the content area and shall address the program content standards required for the field as delineated in GaPSC Educator Preparation Rules [505-3-.19](#) through [505-3-.53](#).

(iii) GaPSC-approved EPPs shall ensure candidates in all initial preparation programs complete a sequence of courses and/or experiences in professional studies that includes knowledge about and application of professional ethics and behavior appropriate for school and community, ethical decision-making skills, and specific knowledge about the Georgia Code of Ethics for Educators. Candidates are expected to demonstrate knowledge and dispositions reflective of professional ethics and the standards and requirements delineated in the Georgia Code of Ethics for Educators. In addition to candidates meeting the state-approved ethics assessment requirement in (e) 1. (i) and (e) 6. (iii) (see GaPSC Rule [505-2-.26](#) CERTIFICATION AND LICENSURE ASSESSMENTS), GaPSC-approved EPPs shall assess candidates' knowledge of professional ethics and the Georgia Code of Ethics for Educators either separately or in conjunction with assessments of dispositions.

(iv) GaPSC-approved EPPs shall ensure candidates are prepared to implement Georgia state mandated standards (i.e., Georgia Performance Standards [GPS], Georgia Standards of Excellence, College and Career Ready Standards, and all other GaDOE-approved standards) in each relevant content area. Within the context of core knowledge instruction, providers shall ensure candidates are prepared to develop and deliver instructional plans that incorporate critical thinking, problem solving, communication skills, and opportunities for student collaboration. EPPs shall ensure candidates are also prepared to implement any Georgia mandated educator evaluation system. EPPs shall ensure educational leadership candidates understand all state standards and have the knowledge and skills necessary to lead successful implementation of standards in schools.

(v) GaPSC-approved EPPs shall require candidates seeking teacher certification to demonstrate knowledge of the definitions and characteristics of dyslexia and other related disorders; competence in the use of evidence-based instruction, structured multisensory approaches to teaching language and reading skills, and accommodations for students displaying characteristics of dyslexia and/or other related disorders; and competence in the use of a multi-tiered systems of support framework addressing reading, writing, mathematics, and behavior, including:

(I) Universal screening;

(II) Scientific, research-based interventions;

(III) Progress monitoring of the effectiveness of interventions on student performance;

(IV) Data-based decision making procedures related to determining intervention effectiveness on student performance and the need to continue, alter, or discontinue interventions or conduct further evaluation of student needs; and

(V) Application and implementation of response-to-intervention and dyslexia and other related disorders instructional practices in the classroom setting.

(vi) GaPSC-approved EPPs shall require candidates seeking certification to demonstrate satisfactory proficiency in computer and other technology applications and skills, and satisfactory proficiency in integrating Information, Media and Technology Literacy into curricula and instruction, including incorporating B/P-12 student use of technology, and to use technology effectively to collect, manage, and analyze data for the purpose of improving teaching and learning. This requirement may be met through content embedded in courses and experiences throughout the preparation program and through demonstration of knowledge and skills during field and clinical experiences. Candidates shall also demonstrate the specialized knowledge and skills necessary for effective teaching in a distance learning environment.

(vii) GaPSC-approved EPPs shall require candidates seeking certification in a Teaching (T) field, the field of Educational Leadership (L), or the Service (S) fields of Media Specialist and School Counseling to complete either five (5) or more quarter hours or three (3) or more semester hours of coursework in the identification and education of children who have special educational needs or the equivalent through a Georgia-approved professional learning program. This requirement may be met in a separate course, or content may be embedded in courses and experiences throughout the preparation program (see GaPSC Rule [505-2-.24](#) SPECIAL GEORGIA REQUIREMENTS). In addition, candidates in all fields must have a working knowledge of Georgia's framework for the identification of differentiated learning needs of students and how to implement multi-tiered structures of support addressing the range of learning needs.

(viii) GaPSC-approved EPPs shall ensure candidates seeking teacher certification demonstrate the appropriate level of competence in the teaching of reading, as described for each Teaching (T) field in GaPSC Rule [505-3-.03](#) FOUNDATIONS OF READING, LITERACY, AND LANGUAGE.

(ix) GaPSC-approved EPPs offering endorsement programs shall ensure the programs are designed to result in candidates' expanded knowledge and skills in creating challenging learning experiences, supporting learner ownership and responsibility for learning, and in strengthening analysis and reflection on the impact of planning to reach rigorous curriculum goals, as specified in GaPSC Rules [505-3-.82](#) through [505-3-.115](#). Unless specified otherwise in GaPSC Rules [505-3-.82](#) through [505-3-.115](#), endorsement programs may be offered as stand-alone programs or embedded in initial preparation or degree-only programs. Embedded endorsement programs must include field experiences specifically for meeting endorsement standards and requirements, as well as any additional grade levels addressed by the endorsement. These field experiences must be in addition to those required for the initial preparation program. Although field experiences in specific grade bands are not required for endorsement programs, candidates must have opportunities to demonstrate the knowledge and skills delineated in endorsement standards in as many settings as necessary to demonstrate competence with children at all developmental levels addressed by the endorsement. In addition to field experience requirements, the GaPSC Continuing Approval process for embedded endorsement programs will require EPPs to provide evidence of meeting a minimum of one (1) of the following (2) options:

(I) Option 1: Additional Coursework. Endorsement programs are typically comprised of three (3) or four (4) courses (the equivalent of nine [9] or twelve [12] semester hours). To fully address the additional knowledge and skills delineated in endorsement standards, it may be necessary to add endorsement courses to a program of study.

(II) Option 2: Additional Assessments(s). Candidates' demonstration of endorsement program knowledge and skills must be assessed by either the initial preparation or advanced/degree-only program assessments or via additional assessment instruments specifically designed to address endorsement program content.

See the guidelines accompanying this rule for further clarification of expectations for endorsement programs.

(x) GaPSC-approved EPPs shall provide information to each candidate on Georgia's tiered certification structure, professional learning requirements, and employment options.

5. Requirements for Partnerships, and Field Experiences and Clinical Practice.

(i) Effective partnerships with B/P-12 schools and/or school districts are central to the preparation of educators. At a minimum, GaPSC-approved EPPs shall establish and maintain collaborative relationships with B/P-12 schools, which are formalized as partnerships and focused on continuous school improvement and student growth and learning through the preparation of candidates, support of induction phase educators, and professional development of B/P-20 educators. EPPs are encouraged to establish and sustain partnerships meeting higher levels of effectiveness, as described in the guidance document accompanying this rule.

(ii) GaPSC-approved EPPs shall require in all programs leading to initial certification in Teaching (T), Leadership (L), or Service (S) fields, and endorsement programs, field experiences that include organized and sequenced engagement of candidates in settings providing them with opportunities to observe, practice, and demonstrate the knowledge, skills, and dispositions delineated in all applicable institutional, state, and national standards. The experiences must be systematically designed and sequenced to increase the complexity and levels of engagement with which candidates apply, reflect upon, and expand their knowledge and skills. Since observation is a less rigorous method of learning, emphasis should be on field experience sequences requiring active professional practice or demonstration and including substantive work with B/P-12 students or B/P-12 personnel as appropriate depending upon the preparation program. Field experience placements and sequencing will vary depending upon the program. In non-traditional preparation programs, such as GaTAPP, field experiences occur outside candidates' classrooms with students with different learning needs and varied backgrounds in at least two settings during the clinical practice. Refer to the guidance document accompanying this rule for additional information related to field experiences and clinical practice.

(iii) GaPSC-approved EPPs shall ensure candidates complete supervised field experiences consistent with the grade levels of certification sought. For Birth Through Kindergarten programs, field experiences are required at three (3) age levels: ages 0 to 2, ages 3 to 4, and 5 (kindergarten). For Elementary Education programs (P-5), field experiences are required in three (3) grade levels: PK-K, 1-3, and 4-5. For middle grades education programs, field experiences are required in two (2) grade levels: 4-5 and 6-8. Programs leading to P-12 certification shall require field experiences in four (4) grade levels: PK-2, 3-5, 6-8, and 9-12; and secondary education programs (6-12) shall require field experiences in two (2) grade levels: 6-8 and 9-12.

(iv) GaPSC-approved EPPs shall ensure candidates complete supervised clinical practice (residency/internships) in the field of certification sought and only in fields for which the EPP has been approved by the GaPSC. Clinical practice for all fields must occur in regionally accredited public schools, charter schools approved by the Georgia State Charter School Commission, charter schools approved by the Georgia Department of Education, out-of-state charter schools approved by the state's charter schools commission or department of education, private schools accredited by a GaPSC-accepted accreditor, Department of Defense schools, or in international settings meeting accreditation criteria specified in GaPSC Rule [505-2-.31](#) GAPSC-ACCEPTED ACCREDITATION; VALIDATION OF NON-ACCREDITED DEGREES. Candidates in Birth Through Kindergarten programs may participate in residencies or internships in regionally accredited schools, in pre-schools or child care centers licensed by the Georgia Department of Early Care and Learning (DECAL, also known as Bright from the Start), Head Start, or in pre-schools accredited by USDOE- or CHEA-accepted accrediting agencies. Candidates of GaPSC-approved EPPs must meet all applicable Pre-Service Certificate requirements, regardless of clinical practice placement location. Clinical practice must be designed and implemented cooperatively with B/P-12 partners and candidates' experiences must allow them to demonstrate their developing effectiveness and positive impact on all students' learning and development. Although year-long residencies/internships as defined herein (see paragraph (2) (ax)) are recognized as most effective, teacher candidates must spend a minimum of one (1) full semester or the equivalent in residencies or internships. GaPSC preparation program rules for service and leadership fields may require more than one (1) full semester of clinical practice; see GaPSC Rules [505-3-.63](#) through [505-3-.81](#).

(v) B/P-12 educators who supervise candidates (mentors, cooperating teachers, educational leadership coaches/mentors, Service (S) field supervisors) in residencies or internships at Georgia schools shall meet the following requirements:

(I) B/P-12 supervisors shall have a minimum of three (3) years of experience in a Teaching (T), Leadership (L), or Service (S) role; and

(II) If the residency or internship is completed at a Georgia school requiring GaPSC certification, the B/P-12 supervisor shall hold renewable Professional Level Certification in the content area of the certification sought by the candidate. In cases where a B/P-12 supervisor holding certification in the content area is not available, the candidate may be placed with a Professionally Certified educator in a related field of certification (related fields are defined in the guidance document accompanying this rule). For Teaching (T) field candidates who are employed as the full-time teacher of record while completing residency or internship in a school requiring GaPSC certification, the B/P-12 supervisor must hold Professional Certification.

(III) If the residency or internship is completed at a Georgia school that has the legal authority to waive certification, the B/P-12 supervisor must hold a Clearance Certificate.

(IV) The Partnership Agreement shall describe training, evaluation, and ongoing support for B/P-12 supervisors and shall clearly delineate qualifications and selection criteria mutually agreed upon by the EPP and B/P-12 partner. The Partnership Agreement shall also include a principal or employer attestation assuring educators selected for supervision of residencies/internships are the best qualified and have received an annual summative performance evaluation rating of proficient/satisfactory or higher for the most recent year of experience.

(V) Certificate IDs (to include Clearance Certificate IDs as applicable) of B/P-12 supervisors must be entered in TPMS or NTRS prior to the completion of the residency or internship.

It is the responsibility of GaPSC-approved EPPs and out-of-state EPPs who place candidates seeking Georgia certification in Georgia schools for field and clinical experiences to ensure these requirements are met.

6. Assessment Requirements.

(i) State-approved Content Assessment.

(I) Eligibility: EPPs shall determine traditional program candidates' readiness for the state-approved content assessment and shall authorize candidates for testing only in their field(s) of initial preparation and only at the appropriate point in the preparation program.

(II) Attempts: GaPSC-approved EPPs shall require all enrolled candidates to attempt the state-approved content assessment (resulting in an official score on all parts of the assessment) within the content assessment window of time beginning on a date determined by the EPP after program admission and ending on August 31 in the year of program completion, and at least once prior to program completion. Candidates enrolled in a traditional (IHE-based), initial preparation program leading to Middle Grades certification must attempt the state-approved content assessment in each of the two (2) areas of concentration, as required for program completion and receive an official score on each assessment prior to program completion. For more information on Middle Grades areas of concentration, see GaPSC Rule [505-3-.19](#) MIDDLE GRADES EDUCATION PROGRAM.

(III) Passing Score: A passing score on all applicable state-approved content assessments is not required for program completion, except in the GaTAPP program (See GaPSC Rule [505-3-.05](#) GEORGIA TEACHER ACADEMY FOR PREPARATION AND PEDAGOGY [GaTAPP]); however, a passing score is required for state certification. See GaPSC Rule [505-2-.26](#) CERTIFICATION AND LICENSURE ASSESSMENTS, and GaPSC Rule [505-2-.08](#) PROVISIONAL CERTIFICATE.

(ii) State-approved Performance-based Assessments.

(I) Eligibility: EPPs shall determine initial preparation program candidates' readiness for the state-approved performance-based assessments in state-approved Teacher Leadership programs and Educational Leadership Tier II programs and shall authorize candidates for testing only in their field(s) of preparation and only at the appropriate point in the preparation program.

(II) Attempts: GaPSC-approved EPPs shall require candidates enrolled in state-approved Educational Leadership Tier II preparation programs to attempt the state-approved performance-based assessment (resulting in an official score on all tasks within the assessment) prior to program completion.

(III) Passing Score: A passing score on all applicable state-approved performance-based assessments is not required for program completion; however, a passing score is required for state certification. See GaPSC Rule [505-2-.26](#) CERTIFICATION AND LICENSURE ASSESSMENTS, [505-2-.153](#) EDUCATIONAL LEADERSHIP CERTIFICATE, and [505-2-.149](#) TEACHER LEADERSHIP.

(iii) State-approved Educator Ethics Assessment.

(I) Program Admission:

A. Candidates who enroll in initial teacher preparation programs must pass the Georgia Educator Ethics Assessment prior to beginning program coursework. Educators who hold a valid Induction, Professional, Lead Professional, or Advanced Professional Certificate are not required to pass the assessment if they enroll in an initial preparation program for the purpose of adding a new Teaching (T) field.

B. Candidates who enroll in any GaPSC-approved Educational Leadership program must pass the Georgia Ethics for Educational Leadership Assessment prior to beginning program coursework.

7. Program Completion Requirements.

(i) GaPSC-approved EPPs shall require candidates completing initial preparation programs to have a 2.5 or higher overall GPA on a 4.0 scale. Non-traditional program providers do not issue grades and therefore are not subject to

this requirement; however, non-traditional EPPs must verify all program requirements are met as specified in GaPSC Rule [505-3-.05](#) GEORGIA TEACHER ACADEMY FOR PREPARATION AND PEDAGOGY (GaTAPP).

(ii) GaPSC-approved EPPs may accept professional learning, prior coursework, or documented experience the EPP deems relevant to the program of study in lieu of requiring candidates to repeat the same or similar coursework for credit.

(iii) GaPSC-approved EPPs shall provide, at appropriate intervals, information to candidates about instructional policies and requirements needed for completing educator preparation programs, including all requirements necessary to meet each candidate's certification objective(s), the availability of EPP services such as tutoring services, social and psychological counseling, and job placement and market needs based on available supply and demand data.

(iv) GaPSC-approved EPPs shall provide performance data to candidates that they may use to inform their individual professional learning needs during induction.

(f) Verification of Program Completion and Reporting of Ethics Violations.

1. GaPSC-approved EPPs shall designate an official who will provide evidence to the GaPSC that program completers have met the requirements of approved programs, including all applicable Special Georgia Requirements, and thereby qualify for state certification.

2. GaPSC-approved EPPs shall submit, in a timely manner, any documentation required of them by the GaPSC Certification Division for program completers seeking GaPSC certification.

3. GaPSC-approved EPPs shall ensure program completers meet all requirements of the approved program in effect at the time the candidate was officially admitted to the program and any additional program requirements with effective dates after program admission, as described elsewhere in this rule.

4. Should program completers return to their GaPSC-approved EPP more than five (5) years after completion to request verification of program completion, providers shall require those individuals to meet current preparation requirements to assure up-to-date knowledge in the field of certification sought.

5. GaPSC-approved EPPs shall immediately report to GaPSC any violations of the Georgia Code of Ethics for Educators by enrolled candidates. Failure to report ethical violations may result in changes in approval status that could include revocation of approval. Out-of-state EPPs placing candidates in Georgia schools for field and clinical experiences are expected to collaborate with Georgia B/P-12 partners to immediately report ethics violations. Procedures for reporting ethical violations are addressed in the guidance document accompanying this rule.

Cite as Ga. Comp. R. & Regs. R. 505-3-.01

AUTHORITY: O.C.G.A. § [20-2-200](#).

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Note: Correction of non-substantive typographical error in subparagraph (3)(e)4.(iv), "... see GaPSC Rules [505-3-.63](#) through 505-3-.8." corrected to "... see GaPSC Rules [505-3-.63](#) through [505-3-.81](#).", as requested by the Agency. Effective Apr. 15, 2020.

Amended: F. June 11, 2020; eff. July 1, 2020, as specified by the Agency.

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Amended: F. Dec. 14, 2023; eff. Jan. 1, 2024, as specified by the Agency.

505-3-.02 Educator Preparation Provider Annual Reporting and Evaluation

(1) **Purpose.** This rule states requirements for the annual evaluation of educator preparation programs and educator preparation providers, and requirements for annual reporting of program effectiveness by educator preparation providers that prepare individuals for certification as education personnel in Georgia.

(2) Definitions.

(a) Advanced Preparation/Degree-Only Program: An educator preparation program at the post-baccalaureate level for the continuing education of educators who have previously completed initial preparation and are certified in the program's subject area or field of certification. Advanced preparation/degree-only programs commonly award graduate credit and include masters, specialist, and doctoral degree programs.

(b) Approval: A process for assessing and enhancing academic and education quality through peer review, to assure the public that an educator preparation provider (EPP) and/or educator preparation program has met institutional, state, and national standards of educational quality; also, a Georgia Professional Standards Commission (GaPSC) decision rendered when an EPP or educator preparation program meets GaPSC standards and required annual reporting requirements.

(c) Approval Review: Examination of evidence and interviews of stakeholders conducted by GaPSC Site Visitors either on-site at an institution/agency, or electronically using web and telephone conferencing systems as part of a Developmental, First Continuing, Focused, or Probationary Review.

(d) Candidates/Teacher Candidates: Individuals enrolled in programs for the initial or advanced preparation of educators, programs for the continuing professional development of educators, or programs for the preparation of other professional school personnel. Candidates are distinguished from students in B/P-12 schools. Candidates in programs leading to Teaching (T) certification may also be referred to as Pre-service Teacher Candidates. (The term enrolled is used in the GaPSC approval process to mean the candidate is admitted and taking classes.)

(e) Certified/Classified Personnel Information (CPI): A tri-annual data collection performed by the Georgia Department of Education of active certified and classified employees at each school/district location. The data includes job assignment, subject matter, percentage of time assigned, local years of service, years of experience for payroll purposes, employment basis, and contract salary including all supplements for each certified employee.

(f) Clinical Practice: Culminating residency (formerly referred to as *student teaching*) or internship experiences with candidates placed in classrooms for at least one (1) full semester where they experience intensive and extensive practices in which they are fully immersed in the learning community and provided opportunities to develop and demonstrate competence in the professional roles for which they are preparing. In initial preparation programs in Leadership (L) or Service (S) fields, candidates will complete such culminating residency or internship experiences in placements that allow the knowledge, skills, and dispositions included in the programs to be practiced and applied. In non-traditional preparation programs, such as GaTAPP, clinical practice is job-embedded as candidates must be hired as a classroom teacher to be admitted to the program.

(g) Council for the Accreditation of Educator Preparation (CAEP): The national accreditation organization formed as a result of the unification of the National Council for the Accreditation of Teacher Education (NCATE) and the Teacher Education Accreditation Council (TEAC). CAEP advances excellence in educator preparation through evidence-based accreditation that assures quality and supports continuous improvement to strengthen B/P-12 student learning.

(h) Educator Preparation Program: A planned sequence of courses and experiences for preparing B/P-12 teachers and other professional school personnel that leads to a state certification. See the definitions for the three (3) types of educator preparation programs: Initial, Endorsement, and Advanced/Degree-Only.

(i) Educator Preparation Provider (EPP): The institution of higher education (IHE), college, school, department, agency, or other administrative body responsible for managing or coordinating all programs offered for the initial and continuing preparation of teachers and other school personnel, regardless of where these programs are administratively housed.

(j) Endorsement Program: A planned sequence of courses and experiences, typically three (3) to four (4) courses in length, designed to provide educators with an additional, specific set of knowledge and skills, or to expand and enhance existing knowledge and skills. Successful completion of an endorsement program results in the addition of the endorsement field to the Georgia educator certificate designating expertise in the field. Endorsement programs

may be offered as non-credit bearing programs, or they may lead to college credit; they must be approved by the GaPSC and administered by a GaPSC-approved EPP, and may be offered as either a stand-alone program or, unless otherwise specified in GaPSC Educator Preparation Rules [505-3-.82](#) through [505-3-.115](#), embedded in an initial preparation or advanced/degree-only program. Depending on the needs of the individual educator, endorsement programs may also be included as a part of an educator's professional learning plan/goals. See GaPSC Rule [505-2-.14](#) ENDORSEMENTS.

(k) Field Experiences: Activities that include organized and sequenced engagement of candidates in settings providing opportunities to observe, practice, and demonstrate the knowledge, skills, and dispositions delineated in institutional, state, and national standards. The experiences must be systematically designed and sequenced to increase the complexity and levels of engagement with which candidates apply, reflect upon, and expand their knowledge and skills. Since observation is a less rigorous method of learning, emphasis should be on field experience sequences requiring active professional practice or demonstration, and that include substantive work with B/P-12 students and B/P-12 personnel as appropriate. In non-traditional preparation programs (e.g., GaTAPP), field experiences occur outside candidates' classrooms with students with different learning needs and varied backgrounds in at least two (2) settings during the clinical practice.

(l) Induction:

(1) The formal act or process of placing an individual into a new job or position and providing appropriate support during the first three (3) years of employment. The Georgia Department of Education defines The Induction Phase Teacher as any teacher who has been hired into a new permanent position in any Georgia school.

(2) A Georgia level of professional educator certification; for additional information see GaPSC Rule 505-2-.04 INDUCTION CERTIFICATE.

(m) Initial Preparation Program: A program designed to prepare candidates for their initial, or first, professional certificate in a Teaching (T), Leadership (L), or Service (S) field. Examples include degree programs at the baccalaureate, masters, or higher levels; or post-baccalaureate programs, non-degree certification-only programs, and non-traditional programs, such as the Georgia Teacher Academy for Preparation and Pedagogy (GaTAPP) or Alternative Preparation for Educational Leadership program. Programs leading to an educator's first certificate in a particular field are considered initial preparation even if the educator is certified in one or more other fields.

(n) Non-traditional Teacher Preparation Program (GaTAPP): A program designed to prepare individuals who at admission hold an appropriate degree with verified content knowledge through a major or its equivalent in the content field or a passing score on the state-approved content assessment in the content field. If the state-approved content knowledge was not required at admission, it must be passed for program completion. Non-traditional teacher preparation programs lead only to a certificate, not to a degree or college credit and:

1. Feature a flexible timeframe for completion;
2. Are job-embedded allowing candidates to complete requirements while employed by a regionally accredited local unit of administration (school district or private school), a charter school approved by the Georgia State Charter School Commission, or a charter school approved by the Georgia Department of Education as a classroom teacher full-time or part-time for at least a half day;
3. Require that candidates are supported by a Candidate Support Team;
4. Require an induction component that includes coaching and supervision;
5. Provide curriculum, performance-based instruction, and assessment focused on the pedagogical knowledge, and dispositions necessary for the candidate to teach his/her validated academic content knowledge; and
6. Are individualized based on the needs of each candidate with respect to content knowledge, pedagogical skills, learning modalities, learning styles, interests, and readiness to teach. See GaPSC Rule [505-3-.05](#) GEORGIA TEACHER ACADEMY FOR PREPARATION AND PEDAGOGY (GaTAPP).

(o) Preparation Program Effectiveness Measures (PPEMs): A collection of common measures applied to all teacher preparation programs leading to initial certification in a field. Teacher Preparation Program Effectiveness Measures (TPPEMs) are further defined in this rule.

(p) Out-of-State Institution: An institution of higher education that is administratively based in a state within the United States other than Georgia.

(q) Program Completer: A person who has met all the requirements of a GaPSC-approved or state- approved out-of-state educator preparation program, to include all GaPSC requirements such as attempting all assessments required for state certification.

(r) State-approved Content Assessment: A content-specific, standardized test aligned with preparation program standards (state and national) and Georgia's P-12 curriculum, and developed to ensure that educators have the content knowledge necessary for successful performance as an educator. A passing score on the appropriate assessment is required for state certification.

(s) Teacher Preparation Program Effectiveness Measures (TPPEMs): A collection of common measures applied to all GaPSC-approved teacher preparation programs leading to initial certification in a Teaching field.

(t) Traditional Preparation Program: A credit-bearing program designed for the preparation of educators offered by an institution of higher education.

(3) General Requirements and Applicability.

(a) The requirements stated in this rule apply to all GaPSC-approved educator preparation providers (EPPs) and all educator preparation programs leading to initial certification in a Teaching (T).

(b) Data will be reported in the aggregate, so as not to identify individual program candidates. Personally identifiable information will not be reported by GaPSC.

(4) Preparation Program Effectiveness Measures (PPEMs).

(a) Completion Reporting Year. The PPEM reporting year starts September 1 and ends August 31.

(b) Teacher Preparation Program Effectiveness Measures (TPPEMs) are comprised of a set of three measures representing the performance of candidates while enrolled in the preparation program and their performance in the classroom after program completion when completers are employed in Georgia public schools or Georgia public charter schools and in their fields of preparation. TPPEMs are collected and reported annually. TPPEM measures include:

1. Employer Perceptions of Preparation data are derived from the common, statewide survey conducted annually of employers of those program completers (referred to as *inductees*) employed in Georgia public or public charter schools. For each cohort, the survey will be administered one time near the end of the first year of inductees' employment in the field of preparation.

2. Inductee Perceptions of Preparation data are derived from the common, statewide survey, conducted annually of those program completers employed in Georgia public or public charter schools and in their fields of preparation. For each cohort, the survey will be administered one time near the end of the first year of inductees' employment in the field of preparation.

3. Assessment of Content Knowledge (state-approved content assessment; Georgia Assessments for the Certification of Educators [GACE]).

(i) Every candidate enrolled in a teacher preparation program for which there is a GACE content assessment must attempt the entire assessment (all tests within the assessment) within a window of time beginning at a point

determined by the EPP and ending on August 31 in the reporting year of program completion, and at least once prior to program completion (an attempt results in an official score on all tests within the assessment). Candidates enrolled in non-traditional teacher preparation programs may be required to pass the appropriate GACE content assessment prior to program admission, depending upon the field of certification sought (see GaPSC Rule [505-3-.05](#) GEORGIA TEACHER ACADEMY FOR PREPARATION AND PEDAGOGY).

(ii) For all teacher preparation programs, the best attempt for each program completer prior to or on August 31 in the reporting year of program completion will be used in reporting.

(c) Refer to the PPEM Technical Specifications document for additional information on each measure, and the schedule of data collection and reporting.

(5) Annual Reporting.

(a) State Reporting.

1. All GaPSC-approved EPPs are required to regularly and accurately submit all required candidate-level data to the Traditional Program Management System (TPMS) or the Non-traditional Reporting System (NTRS) as appropriate for all programs offered and according to the timelines established in Educator Preparation Rule [505-3-.01](#) REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS, paragraph (3) (c) 8.

2. Out-of-state EPPs with teacher candidates fulfilling field and clinical experiences in Georgia schools are required to regularly and accurately submit to TPMS all data specified by GaPSC staff in association with the issuance of the Pre-Service Certificate.

(b) Federal Reporting: Title II. All GaPSC-approved EPPs are required to submit annually the data required for federal Title II reporting. Failure to submit Title II data, accurately, completely, and by published deadlines may result in adverse changes in approval status, up to and including recommendation to the Commission of revocation of approval, and may result in fines.

(6) Uses of PPEMs and Annual Report Data.

(a) Reporting to EPPs. When sufficient data are available, PPEMs will be provided annually to each GaPSC-approved EPP. All data will be aggregated at the program level; no individual level data will be provided. EPPs are expected to use PPEMs and other data to improve programs.

(b) Reporting to the Georgia Professional Standards Commission. PPEMs will be provided annually to the 18-member standards commission via the public dashboard; data will be aggregated at the program and EPP levels and no individual level data will be provided.

(c) Reporting to Other State Agencies. The Georgia Professional Standards Commission is a participating agency in GAAWARDS, Georgia's Academic and Workforce Analysis and Research Data System, which is the state's Pre-K through workforce (P20W) longitudinal data system. Data of individual candidates is provided to GAAWARDS annually. All personally identifiable information is removed prior to being used for research purposes.

(d) Reporting to the Public. PPEMs will be provided to the public annually via the GaPSC website. Data will be aggregated at the program and EPP levels; no individual level data or aggregations of fewer than ten (10) individuals will be provided.

Cite as Ga. Comp. R. & Regs. R. 505-3-.02

AUTHORITY: O.C.G.A. § [20-2-200](#).

HISTORY: Original Rule entitled "Educator Preparation Provider Annual Reporting and Evaluation" adopted. F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

Amended: F. Jun. 13, 2014; eff. July 3, 2014.

Repealed: New Rule of same title adopted. F. Dec. 20, 2016; eff. Jan. 15, 2017, as specified by the Agency.

Amended: F. Apr. 10, 2018; eff. Apr. 15, 2018, as specified by the Agency.

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

Amended: F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

Amended: F. June 11, 2020; eff. July 1, 2020, as specified by the Agency.

Repealed: New Rule with same title adopted. F. Dec. 9, 2022; eff. Jan. 1, 2023, as specified by the Agency.

Amended: F. Dec. 14, 2023; eff. Jan. 1, 2024, as specified by the Agency.

505-3-.63 Curriculum and Instruction Program

(1) **Purpose.** This rule states field-specific content standards for approving programs that prepare individuals to serve in Curriculum and Instruction roles in P-12 educational settings and supplements requirements in GaPSC Rule [505-3-.01](#) REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS. Curriculum and Instruction Programs will be classified as Service field programs and may be offered for initial certification in the field at the Master's degree level or higher, or as a certification-only program for those holding advanced degrees. Programs leading to initial certification in the field, regardless of degree level, must be approved by the GaPSC.

(2) Admission Requirements.

(a) A valid, level 4 or higher Induction, Professional, Advanced Professional, or Lead Professional teaching certificate, leadership certificate, service field certificate, or Life certificate is required for program admission.

(3) Completion Requirements.

(a) Candidates seeking initial certification in the field must complete the following requirements at the appropriate level:

1. Master's Degree level: a minimum of six (6) semester hours (or the quarter hours equivalent) of advanced level coursework focused on the content or content pedagogy of a certificate field held by the educator. These hours may be satisfied through advanced pedagogy courses in which candidates are required to demonstrate advanced pedagogical skills or understandings related to their field(s) of certification. All six (6) hours may also be satisfied through a thesis focused on the content knowledge of a certificate field held by the educator.

2. Specialist or Doctoral degree level: a minimum of six (6) semester hours (or the quarter hours equivalent) of advanced level coursework focused on the content or content pedagogy of a certificate field held by the educator. All six (6) hours may be satisfied through advanced level content or content pedagogy courses in which candidates are required to demonstrate advanced skills or understandings related to their field of certification, or these hours may be satisfied through work on a thesis, research project or dissertation directly focused on a content field held by the educator.

(4) Program Approval.

(a) To receive program 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. Knowledge of Curriculum. Program completers will demonstrate advanced ability to design, implement, and evaluate curriculum that promotes student learning as indicated by the following:

- (i) Completers recognize the needs of students, the contexts which must be considered when planning curriculum, and the philosophical frameworks that undergird curriculum design;
- (ii) Completers can align curriculum across local, state, and national standards within and across subject areas;
- (iii) Completers have knowledge of resources, including technology, to support evidence-based teaching practices; and
- (iv) Completers can evaluate curriculum by using performance data and student work to determine student understanding and to refine curriculum.

2. Knowledge of Instruction. Program completers will demonstrate advanced ability to plan, implement, and evaluate instruction to facilitate student learning as indicated by the following:

- (i) Completers can design and modify environments that promote learning and are based on appropriate, evidence-based practices and student performance data;
- (ii) Completers can differentiate instruction through the use of evidenced-based practices, student performance data, appropriate resources, and culturally responsive pedagogy; and
- (iii) Completers can evaluate and modify instruction based on a variety of data, educational research, and continuous self-assessment.

3. Knowledge of Content. Program completers will demonstrate advanced depth and breadth of knowledge and skills in their academic discipline and pedagogy as indicated by the following:

- (i) Completers can apply current research and data as they demonstrate content knowledge, and identify appropriate resources to promote student success; and
- (ii) Completers can plan, implement, and assess the important ideas and organizational structure of the domains represented in their content body of knowledge to benefit each student.

4. Knowledge of Students. Program completers will demonstrate advanced knowledge of students as influenced by cognitive, physical, emotional, social, cultural, environments, and economic factors as indicated by the following:

- (i) Completers demonstrate knowledge of major learning and developmental theories and how they explain student learning;
- (ii) Completers can design instruction to meet the unique needs of each student; and
- (iii) Completers provide evidence of an understanding of the cultural and linguistic contexts of learning.

5. Knowledge of Research. Program completers will demonstrate the ability to use research to promote student learning and to contribute to the teaching profession as indicated by the following:

- (i) Completers can apply theoretical insights and research findings to curriculum, instruction, and assessment in P-12 systems to improve student learning, classroom processes, and /or institutional practices; and
- (ii) Completers can use quantitative, qualitative, and/or mixed research methods to investigate education problems and are able to articulate the findings to a variety of audiences.

6. Knowledge of Assessment. Program completers will demonstrate advanced knowledge of assessment and the ability to use multiple sources of assessment for maximizing student learning as indicated by the following:

- (i) Completers demonstrate knowledge of assessment that enables appropriate analysis and interpretation for facilitating effective instruction and student learning;
- (ii) Completers demonstrate an understanding of the principles of assessment design;
- (iii) Completers can use diagnostic, formative, and summative assessments to differentiate instruction, and to provide timely and effective feedback to improve student learning;
- (iv) Completers can conduct program evaluations to determine the effectiveness of curriculum and instructional practices; and
- (v) Completers can use assessment data to identify longitudinal trends and achievement gaps, establish goals for improvement, and articulate pertinent information to a variety of audiences.

7. **Professional Practices.** Program completers will demonstrate high standards for professional practice as indicated by the following:

- (i) Completers establish high standards for academic rigor, intellectual inquiry, and professional integrity;
- (ii) Completers participate in and/or lead professional learning experiences to promote effective practices; and
- (iii) Completers advocate for the profession by modeling collaboration, leadership, and professionalism.

Cite as Ga. Comp. R. & Regs. R. 505-3-.63

AUTHORITY: O.C.G.A. § [20-2-200](#).

HISTORY: Original Rule entitled "Special Education General Curriculum/Early Childhood Education Program" adopted. F. Aug. 20, 2004; eff. Sept. 15, 2004, as specified by the Agency.

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

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

Amended: New Rule entitled "Culinary Arts Endorsement Program" adopted. F. Nov. 15, 2007; eff. Dec. 15, 2007, as specified by the Agency.

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

Amended: F. Dec. 14, 2023; eff. Jan. 1, 2024, as specified by the Agency.

505-3-.70 Speech-Language Associate Program

(1) **Purpose.** This rule states field-specific content standards for approving programs that prepare individuals as Speech-Language Associates who provide related educational support or direct intervention for all students whose individual education program indicates instructional needs in the area of communication disorders under the direct supervision of a certified Speech-Language Pathologist. 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 for an initial preparation program, a GaPSC-approved educator preparation provider shall offer a preparation program described in program planning forms, catalogs, and syllabi addressing the following standards for the preparation of Speech-Language Pathologists published in 2020 by the American Speech-Language-Hearing Association (ASHA) Council on Academic Accreditation in Audiology and Speech-Language Pathology.

1. The program shall prepare candidates who know the principles of biological sciences, physical sciences, mathematics, and the social/behavioral sciences.

2. The program shall prepare candidates who know basic human communication and swallowing processes, including their biological, neurological, acoustic, psychological, developmental, linguistic, and cultural bases.

3. The program shall prepare candidates who know the nature of speech, language, hearing, and communication disorders and differences, including the etiologies, characteristics, anatomical/physiological, acoustic, psychological, developmental, and linguistic and cultural correlates. Specific knowledge shall be demonstrated in the following areas:

(i) Speech sound disorders;

(ii) Receptive and expressive language (phonology, morphology, syntax, semantics, and pragmatics) in speaking, listening, reading, writing, and manual modalities;

(iii) Hearing, including the impact on speech and language;

(iv) Cognitive aspects of communication (attention, memory, sequencing, problem-solving, executive functioning);

(v) Social aspects of communication (including challenging behavior, ineffective social skills, lack of communication opportunities); and

(vi) Communication modalities (including oral, manual, augmentative, and alternative communication techniques and assistive technologies).

4. The program shall prepare candidates who possess knowledge of the principles and methods of prevention, assessment, and intervention for students with communication disorders including consideration of anatomical/physiological, psychological, developmental, and linguistic and cultural correlates of the disorders.

5. The program shall prepare candidates who know standards of ethical conduct.

6. The program shall prepare candidates who demonstrate processes used in the integration of evidence-based clinical practice.

7. The program shall prepare candidates who have knowledge of certification, specialty recognition, and other relevant professional credentials.

8. The program shall prepare candidates who understand the supervisory nature of working under a certified Speech-Language Pathologist.

9. The program shall prepare candidates who understand the collaborative nature of working with all stakeholders.

10. The program shall prepare candidates who have the knowledge of individual education programs, individual learning differences, learning environments, instructional planning, and student engagement.

(b) Candidates will participate in a school-based internship for one semester, in which a total of 100 hours of direct service with students in either small group, individual sessions, or in an inclusion model will be completed under the direct supervision of a certified Speech-Language Pathologist.

Cite as Ga. Comp. R. & Regs. R. 505-3-.70

AUTHORITY: O.C.G.A § [20-2-200](#).

HISTORY: Original Rule entitled "Birth to Five Endorsement Program" adopted. F. Aug. 20, 2004; eff. Sept. 15, 2004, as specified by the Agency.

Repealed: New Rule entitled "English to Speakers of Other Languages (ESOL) Endorsement Program" adopted. F. Oct. 24, 2005; eff. Nov. 15, 2005, as specified by the Agency.

Repealed: Rule with same title adopted. F. Mar. 8, 2012; eff. Apr. 15, 2012, as specified by the Agency.

Repealed: New Rule entitled "School Social Worker 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 "Speech-Language Associate Program." F. Dec. 14, 2023; eff. Jan. 1, 2024, as specified by the Agency.

505-3-.71 Speech and Language Pathology Program

(1) **Purpose.** This rule states field-specific content standards for approving programs that prepare individuals as speech and language pathologists who provide related educational support or direct intervention for all students whose individual education program indicates instructional needs in the area of communication disorders. 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) The minimum preparation for a renewable professional certificate is at the master's degree level in Speech and Language Pathology. A non-renewable certificate may be issued in some circumstances as outlined in GaPSC Certification Rule [505-2-.148](#) SPEECH AND LANGUAGE PATHOLOGY; and

(b) To receive approval for an initial preparation program at the master's level, a GaPSC approved educator preparation provider shall offer a preparation program described in program planning forms, catalogs, and syllabi addressing the following standards for the preparation of speech language pathologists published in 2020 by the American Speech-Language-Hearing Association (ASHA) Council on Academic Accreditation in Audiology and Speech-Language Pathology.

1. The program shall prepare candidates who know the principles of biological sciences, physical sciences, statistics, and the social/behavioral sciences;

2. The program shall prepare candidates who know basic human communication and swallowing processes, including the appropriate biological, neurological, acoustic, psychological, developmental, and linguistic and cultural bases. The program shall prepare candidates with the ability to integrate information pertaining to normal and abnormal human development across the lifespan; and

3. The program shall prepare candidates who know communication and swallowing disorders and differences, including the appropriate etiologies, characteristics, anatomical/physiological, acoustic, psychological, developmental, and linguistic and cultural correlates in the following areas:

(i) Articulation;

- (ii) Fluency;
- (iii) Voice and resonance, including respiration and phonation;
- (iv) Receptive and expressive language (phonology, morphology, syntax, semantics, pragmatics, pre-linguistic communication and paralinguistic communication) in speaking, listening, reading, writing;
- (v) Hearing, including the impact on speech and language;
- (vi) Swallowing (oral, pharyngeal, esophageal, and related functions, including oral function for feeding, orofacial myology);
- (vii) Cognitive aspects of communication (attention, memory, sequencing, problem-solving, executive functioning);
- (viii) Social aspects of communication (including challenging behavior, ineffective social skills, and lack of communication opportunities); and
- (ix) Augmentative and alternative communication modalities.

4. The program shall prepare candidates who possess knowledge of the principles and methods of prevention, assessment, and intervention for people with communication and swallowing disorders, including consideration of anatomical/physiological, development, and linguistic and cultural correlates;

5. The program shall prepare candidates who know standards of ethical conduct;

6. The program shall prepare candidates with skills in oral and written or other forms of communication sufficient for entry into professional practice;

7. The program shall prepare candidates who know processes used in research and of the integration of research principles into evidence-based clinical practice;

8. The program shall prepare candidates who demonstrate knowledge of contemporary professional issues;

9. The program shall prepare candidates who demonstrate knowledge of entry level and advanced certifications, licensure, and other relevant professional credentials, as well as local, state, and national regulations and policies relevant to professional practice.

10. The program must include experiences in breadth and depth to achieve the following skills outcomes:

(i) Evaluation:

(I) Conduct screening and prevention procedures (including prevention activities);

(II) Collect case history information and integrate information from clients/patients, family, caregivers, teachers, and relevant others, including other professionals;

(III) Select and administer appropriate evaluation procedures, such as behavioral observations, non-standardized and standardized tests, and instrumental procedures;

(IV) Adapt evaluation procedures to meet client/patient needs;

(V) Interpret, integrate, and synthesize all information to develop diagnoses, and make appropriate recommendations for intervention;

(VI) Complete administrative and reporting functions necessary to support evaluation; and

(VII) Refer clients/patients for appropriate services.

(ii) Intervention:

(I) Develop setting-appropriate intervention plans with measurable and achievable goals that meet clients'/patients' needs. Collaborate with clients/patients and relevant others in the planning process;

(II) Implement intervention plans (involve clients/patients and relevant others in the intervention process);

(III) Select or develop and use appropriate materials and instrumentation for prevention and intervention;

(IV) Measure and evaluate clients'/patients' performance and progress;

(V) Modify intervention plans, strategies, materials, or instrumentation as appropriate to meet the needs of clients/patients;

(VI) Complete administrative and reporting functions necessary to support intervention; and

(VII) Identify and refer clients/ patients for services as appropriate.

(iii) Interaction:

(I) Communicate effectively, recognizing the needs, values, preferred mode of communication, and cultural/ linguistic background of the client/ patient, family, caregivers, and relevant others;

(II) Collaborate with other professionals in case management;

(III) Provide effective guidance and coaching to colleagues who are supporting the speech language program;

(IV) Provide counseling regarding communication and swallowing disorders to clients/ patients, family caregivers, and relevant others; and

(V) Adhere to the ASHA Code of Ethics and behave professionally.

(c) The program shall include a minimum of 400 clock hours of supervised clinical experience in the practice of speech-language pathology, including twenty-five hours in clinical observations and 375 hours in direct client/ patient contact.

(d) At least 325 of the 400 clock hours must be completed while the applicant is engaged in graduate study in a program accredited in speech-language pathology by the Council on Academic Accreditation in Audiology and Speech-Language Pathology.

Cite as Ga. Comp. R. & Regs. R. 505-3-.71

AUTHORITY: O.C.G.A. § [20-2-200](#).

HISTORY: Original Rule entitled "Special Education Deaf Education Endorsement Program" adopted. F. Aug. 20, 2004; eff. Sept. 15, 2004, as specified by the Agency.

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

Repealed: New Rule entitled "Gifted In-Field Education Endorsement Program" adopted. F. Oct. 24, 2005; eff. Nov. 15, 2005, as specified by the Agency.

Repealed: New Rule entitled "Speech and Language Pathology Program" adopted. F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

Repealed: New Rule of same title adopted. F. May 22, 2015; eff. June 15, 2015, as specified by the Agency.

Amended: F. Dec. 14, 2023; eff. Jan. 1, 2024, as specified by the Agency.

505-3-.72 Teacher Leadership Program

(1) **Purpose.** This rule states field-specific content standards and requirements for approving initial Teacher Leadership preparation programs designed to prepare individuals to serve in teacher leader roles in grades P-12 and to supplement requirements in GaPSC Rule [505-3-.01](#) REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.

(2) **Admission Requirements.** A GaPSC-approved educator preparation provider in partnership with the employing school(s)/local unit(s) of administration, as delineated in an agreement by all partners, shall offer this program as a Service (S) field to candidates who hold a valid, level 4 or higher Induction, Professional, Advanced Professional, or Lead Professional teaching certificate, leadership certificate, service certificate, or Life certificate, and:

(a) Are recommended by a school system-level administrator (e.g., superintendent, assistant or associate superintendent, or a designee such as the principal of the applicant's school);

(b) Have at least one year of successful classroom teaching experience as a certified educator at the Induction, Professional, Advanced Professional, or Lead Professional level. While at least one year of successful classroom teaching experience is required for program admission, this program is better suited for teachers who have completed the induction phase of their careers, or have at least three years of teaching experience.

(c) Meet the criteria for specific program delivery methods:

1. Certification-only candidates must have a Master's Degree or higher;
2. Advanced degree candidates must have a Bachelor's degree or higher.

(3) Completion Requirements.

(a) Certification-only candidates must meet the following criteria:

1. Have intensive support by a mentor experienced in instructional leadership;
2. Have an Individualized Growth Plan (IGP) developed and utilized collaboratively by the candidate and a mentor toward achievement of the candidate's IGP goals; and
3. Have individual work samples or other artifacts that demonstrate the candidate has met program standards;

(b) Advanced degree candidates must meet the following criteria:

1. Have intensive support by a mentor experienced in instructional leadership;
2. Have an Individualized Growth Plan (IGP) developed and utilized collaboratively by the candidate and a mentor toward achievement of the candidate's IGP goals;
3. Have individual work samples or other artifacts that demonstrate the candidate has met program standards; and
4. Must complete the following requirements at the appropriate level:

(i) Master's Degree level: a minimum of six (6) semester hours (or the quarter hours equivalent) of advanced level coursework focused on the content or content pedagogy of a certificate field held by the educator. All six hours may be satisfied through advanced level content or content pedagogy courses in which candidates are required to

demonstrate advanced skills related to their field of certification. This requirement may also be satisfied through work on a thesis or research project, or through work on a program capstone, internship, or other intensive field-based practical exercise directly focused on the content of a certificate field held by the educator or the educator's advancement of one or more peers' knowledge, skill, and/or ability in the peers' field(s) of certification; or

(ii) Specialist or Doctoral degree level: a minimum of six (6) semester hours (or the quarter hours equivalent) of advanced level coursework focused on the content or content pedagogy of a certificate field held by the educator. All six hours may be satisfied through advanced level content or content pedagogy courses in which candidates are required to demonstrate advanced skills related to their field of certification. This requirement may also be satisfied through work on a thesis, research project or dissertation, or through work on a program capstone, internship, or other intensive field-based practical exercise directly focused on a content field held by the educator or the educator's advancement of one or more peers' knowledge, skill, and/or ability in the peers' field (s) of certification.

(4) Program Approval. 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. Candidates who complete the program are teacher leaders who will facilitate the design and implementation of sustained, intensive, and job-embedded professional learning (as defined in the 2015 Every Student Succeeds Act (ESSA), [20 U.S.C. § 6301](#)) based on identified student and teacher needs. The teacher leader:

- (i) Applies appropriate knowledge and strategies of adult learning theories across teacher leadership and professional learning practices;
- (ii) Models lifelong learning for students, colleagues, and community stakeholders by being reflective, by engaging in professional development, advocating for the profession and staying current and knowledgeable of policy, trends, and practices in education;
- (iii) Collaborates with others to assist with creating and sustaining viable professional learning communities designed to support the collaborative work of schools;
- (iv) Leverages components of distributed leadership to conduct needs assessments to identify staff needs and provide ongoing support with implementing strategies to address staff needs;
- (v) Stays current with research on the organizational conditions and features of effective professional learning which are necessary for designing and implementing on-going professional learning experiences that are based on best practices and identified teacher and student needs;
- (vi) Involves colleagues in development, implementation, and evaluation of a coherent professional learning plan based on school goals;
- (vii) Teaches and models changes in teacher practices that are necessary for improvement in student learning;
- (viii) Applies the knowledge and skills of effective mentoring, coaching, and instructional leadership to provide support for teachers' professional learning and practice;
- (ix) Utilizes multiple methods, including evidence of student learning, to assess the effectiveness of professional learning activities; and
- (x) Designs, facilitates, and implements professional development aligned to state and national professional learning standards (e.g., Learning Forward's Standards for Professional Learning).

2. Candidates who complete the program are teacher leaders who work with stakeholders to promote the development of a school culture that fosters excellence in teaching and learning for all, focuses on continuous improvement, and builds a collaborative work environment. The teacher leader:

- (i) Works with others to create an environment where colleagues and students take learning risks, where fear of initial failure is minimized, and mistakes are openly discussed;
- (ii) Uses team building and effective conflict management, including consensus-building skills, in a variety of contexts to build a culture of collaboration, respect, trust and high expectations;
- (iii) Works with others to create an environment that encourages needed change using a research-informed change model;
- (iv) Supports analysis of the school's culture and builds understanding of the impact of organizational culture in teaching and learning;
- (v) Engages colleagues in creating a culture supportive of a collaborative learning community that embraces a shared vision of desired results;
- (vi) Considers the ethical and legal implications of decisions made and actions executed individually and collectively;
- (vii) Demonstrates the capacity to support the school or school district in refining, redefining, or sharpening its vision toward continuous improvement;
- (viii) Facilitates the development of an interdependent culture of improvement and accountability grounded in the belief that collective responsibility and commitment to the team are fundamental to the school's success;
- (ix) Clarifies issues to sharpen the focus on the elements of student and adult learning and school culture that are most important to the school's success; and
- (x) Works with others to build a culture that personalizes the work and learning of colleagues and students.

3. Candidates who complete the program are teacher leaders who demonstrate a comprehensive understanding of curriculum and can facilitate others in the alignment of curriculum, instruction, and assessment to standards. The teacher leader:

- (i) Possesses an in-depth knowledge of their discipline, and is knowledgeable about the structure of the curriculum;
- (ii) Understands how the programs of study from various disciplines and grade levels are related and sequenced in order to design and deliver meaningful and relevant professional learning and instructional strategies;
- (iii) Demonstrates the capacity to use a variety of processes to engage and focus teachers in collaborative planning to improve teaching and learning;
- (iv) Demonstrates the capacity to use appropriate research-informed protocols to audit curriculum and analyze student work to assure high expectations for all students;
- (v) Demonstrates deep understanding of the curriculum and is able to use a variety of protocols and organizing frameworks to engage in discussions about what students should know, understand, and do in each instructional unit based on those standards;
- (vi) Knows how to locate and can assist in recommending content specific resources that are important in the curriculum implementation process; and
- (vii) Leads and assists in leading others in prioritizing, mapping, and monitoring the implementation of the curriculum.

4. Candidates who complete the program are teacher leaders who model best practices in pedagogy and serve as a mentor and coach for other educators. The teacher leader:

- (i) Advances the professional skills of colleagues by demonstrating and applying expertise in observational skills utilizing predetermined clear criteria and providing effective, descriptive feedback;
- (ii) Models and articulates exemplary instructional practices and strategies based on evidence-based research and high expectations for all students;
- (iii) Models the effective application of curriculum standards, instructional choices, student engagement, and monitoring of student learning;
- (iv) Demonstrates the capacity to guide and assist teachers in designing and planning quality and meaningful student work and learning experiences;
- (v) Promotes and encourages teachers in developing higher order questions, thoughtful discourse, and critical thinking in the classroom;
- (vi) Guides teachers in the in-depth understanding of lesson planning and delivery of content in clear and meaningful ways;
- (vii) Models and assists teachers in the integration of technology to support classroom instruction and student learning; and
- (viii) Implements effective active listening and professional discourse skills to include facilitation of critical or difficult conversations, as appropriate;

5. Candidates who complete the program are teacher leaders who work with others to design and implement assessment practices and analyze data for monitoring and improving teaching and learning through data-informed decision making. The teacher leader:

- (i) Guides teachers in the identification and selection of appropriate assessment instruments and practical assessment strategies to improve instruction and monitor student learning;
- (ii) Assists teachers in identifying resources and providing appropriate support services for specific student needs;
- (iii) Assists teachers in using formative and summative data to assess student progress toward and attainment of expected outcomes;
- (iv) Facilitates teachers in the collection, analysis, use, and interpretation of varied assessment data for instructional decisions and changes;
- (v) Facilitates the use of multiple sources of evidence to monitor and evaluate teaching and learning; and
- (vi) Is knowledgeable of research on the appropriate use of assessment instruments and data analysis techniques and can coach colleagues on their implementation.

6. Candidates who complete the program are teacher leaders who access and conduct research, and apply research findings to improve teaching and learning. The teacher leader:

- (i) Guides colleagues to relevant research to find the appropriate method and solutions to instructional problems and challenges;
- (ii) Conducts and engages others in formal or informal action research to improve educational outcomes and to help address critical educational issues;
- (iii) Follows appropriate legal and ethical procedures when conducting research;

- (iv) Reads and stays informed of current educational research, policies, trends, and innovations; and shares current research with the school community;
- (v) Analyzes a variety of valid, reliable, and evidence based research before making decisions;
- (vi) Implements original ideas based on valid, reliable, and systematic inquiry as a critical component of informed decision making; and
- (vii) Supports colleagues in collaborating with professional organizations involved in educational research.

7. Candidates who complete the program are teacher leaders who demonstrate the ability to collaboratively advocate for the differentiated needs of students, colleagues, families, and stakeholders to improve student learning and to guide positive change. The teacher leader:

- (i) Facilitates group processes and builds alliances between and among stakeholders necessary for school improvement;
- (ii) Exhibits strong interpersonal skills that establish and maintain effective working relationships;
- (iii) Supports colleagues in the development and improvement of interpersonal skills;
- (iv) Works to develop and sustain trusting, productive, and supportive relationships with all students, colleagues, families, and other stakeholders;
- (v) Promotes an atmosphere of collaboration through the effective use of problem solving processes and protocols;
- (vi) Demonstrates the capacity to understand, explain, and assist with implementation of the school improvement process;
- (vii) Facilitates open dialogue of ideas and information that support the school improvement process student achievement goals, and the improvement of teaching and learning practices;
- (viii) Knows how to find resources to promote school, family, and community relations and can utilize them effectively;
- (ix) Advocates for student needs and for practices that promote student achievement; and
- (x) Facilitates colleagues' understanding of the school community's broad range of backgrounds and populations to enrich the educational experiences of all students and achieve high levels of learning.

Cite as Ga. Comp. R. & Regs. R. 505-3-.72

AUTHORITY: O.C.G.A. § [20-2-200](#).

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Repealed: New Rule entitled "Intervention Specialist Endorsement Program" adopted. F. Oct. 24, 2005; eff. Nov. 15, 2005, as specified by the Agency.

Repealed: New Rule entitled "Teacher Leadership Program" adopted. F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

Amended: F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

Amended: F. Dec. 14, 2023; eff. Jan. 1, 2024, as specified by the Agency.

505-3-.76 Alternative Preparation for Educational Leadership Program

(1) **Purpose.** This rule states specific content standards and requirements for approving Tier I and Tier II alternative preparation programs designed for the preparation of individuals to serve in educational leadership positions in P-12 schools and Local Units of Administration (LUA), and it is designed to meet recruitment and hiring needs in various areas of the state. This rule supplements requirements and definitions of terms in GaPSC Rule [505-3-.01](#) REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS. Implementation guidelines accompany this rule.

(2) Definitions.

(a) Alternative preparation is defined as a post-baccalaureate program designed for individuals who have not prepared as leaders in a traditional leadership preparation program. These preparation programs, which lead to an Educator Preparation Provider's verification of meeting requirements for Georgia certification, but not a degree, recognize candidates' earlier academic preparation and life experiences.

(b) Certificate Levels are assigned to Georgia educator certificates based on the degree(s) an educator holds. See GaPSC Rule [505-2-.02](#) CLASSIFICATION.

(c) The term leadership position refers to those positions requiring leadership certification as determined by the Georgia Professional Standards Commission (GaPSC) for placement on the state salary schedule.

(d) Tier I prepares candidates for entry level leadership positions that include P-12 school level positions below the principal and system level positions that do not supervise principals.

(e) Tier II prepares candidates for advanced leadership positions that include P-12 school level principals or the equivalent, superintendents, or other LUA staff who supervise principals.

(3) Requirements.

(a) The standards and requirements set forth in this rule are intended to guide the development of an alternative preparation program in two phases of preparation (Tier I and Tier II). The goal is to ensure completers of each tier are able to demonstrate knowledge of leadership content, skills, and dispositions to positively impact teacher performance and student growth. Each tier includes a minimum one-year residency which provides opportunity for candidates to experience guided practice of skills in authentic leadership situations.

(b) To receive approval for the Alternative Preparation for Educational Leadership program, a Georgia Professional Standards Commission (GaPSC)-approved educator preparation provider (EPP) shall offer a preparation program described in program planning forms, websites, catalogs, and syllabi conforming to the Georgia Educational Leadership Standards, which are adapted from the Professional Standards for Educational Leaders (PSEL) published in 2015 by the National Policy Board for Educational Administration. Programs will be assessed at the standard level; elements listed under each standard give guidance regarding the breadth and depth of each standard and are adapted from PSEL. Although programs shall be designed upon the PSEL Standards and as required by Rule [505-3-.01](#), the Teacher Assessment on Performance Standards (TAPS) in relation to instructional leadership (see [505-3-.01](#) paragraph (e) 3. (i)), EPPs are advised to consider additional standards in developing program curricula and clinical experiences at the appropriate level (Tier I or Tier II), such as the Learning Forward Standards for Professional Learning, Georgia Teacher Leadership Standards (GaPSC Rule [505-3-.72](#) TEACHER LEADERSHIP PROGRAM), the Model Principal Supervisor Standards, the evaluation standards comprising the Georgia Teacher Keys Effectiveness System (TKES) and the Georgia Leader Keys Effectiveness System (LKES), and the standards delineated in GaPSC Rule [505-3-.03](#) FOUNDATIONS OF READING, LITERACY, AND LANGUAGE. GaPSC and Georgia Department of Education (GaDOE) rules are often focused on implementation of such standards; candidates shall complete preparation programs prepared to implement programs and processes that address such standards. Professional learning as described in the GaPSC certificate renewal rule (GaPSC Rule [505-2-.36](#)

RENEWAL REQUIREMENTS) and continuous improvement as described in GaDOE rules and processes shall be addressed in the leadership preparation curriculum and clinical experiences. Guidelines that accompany this rule, *Guidelines for EPPs: Alternative Preparation for Educational Leaders Programs*, provide detailed information to support development of the program. Effective educational leaders:

1. Develop, advocate, and enact a shared mission, vision, and core values of high-quality education and academic success and well-being of each student. Education leaders build consensus among all stakeholders to develop an educational mission, vision, and core values of what students should know and do as a consequence of their schooling, as well as what it means for students to become well-adjusted, contributing members of society. Building such a vision supported by core values can require reconciling possibly competing perspectives among all members of the school community. Based on this vision, leaders work with school and community members to establish the school's mission, and to plan, implement, monitor, and evaluate impact to promote continuous and sustainable improvement. Effective leaders:

- (i) Using relevant data and in collaboration with school and community members, develop an educational mission, vision, and statement of core values for the school to promote student success and well-being.
- (ii) In collaboration with members of the school and the community and using relevant data, develop and promote a vision for student success and well-being by articulating, advocating, and cultivating core values that define the school's culture, and stress the imperative of child-centered education; high expectations and student support; fair access, opportunity, and advancement for all students; openness, caring, and trust; and continuous improvement.
- (iii) Utilize best practices to strategically identify, implement, and evaluate actions to achieve the vision, mission, and core values for the school.
- (iv) Ensure core values support processes and procedures that allow all students access to the most effective teachers and an instructional program that will ensure they are college and career ready.
- (v) Develop a systematic, inclusive, and comprehensive process to review, revise, and communicate the school's mission, vision, and core values, and respond to changing expectations and opportunities for the school, and changing needs and situations of students.
- (vi) Develop shared understanding of and commitment to mission, vision, and core values within the school and the community.
- (vii) Monitor communications and actions to build and sustain school and community alignment with the shared vision, mission, and core values.
- (viii) Model and pursue the school's mission, vision, and core values in all aspects of leadership.

2. Act ethically and according to professional norms to promote each student's academic success and well-being. Educational leaders are professionals who ensure personnel are equipped with professional understanding of the school's mission and the professional norms that must be followed to ensure student success and well-being. Leaders have an understanding of ethical principles to guide actions and decision-making, which must be within the boundaries of professional practice. Leaders foster the development of a school culture that nurtures understanding of professional conduct and ethics, and have a professional responsibility to take an intentional approach to ensure not only regulatory enforcement, but also ethics education, outreach, and prevention. Effective leaders:

- (i) Act ethically and professionally in personal conduct, relationships with others, decision-making, stewardship of the school's resources, and all aspects of school leadership.
- (ii) Act according to and promote the professional norms of integrity, fairness, transparency, trust, collaboration, perseverance, learning, and continuous improvement.
- (iii) Place children at the center of education and accept responsibility for each student's academic success and well-being.

- (iv) Safeguard and promote the values of democracy, individual freedom and responsibility, and fairness.
- (v) Lead with interpersonal and communication skill, social-emotional insight, and understanding of all students' and staff members' backgrounds and cultures.
- (vi) Provide moral direction for the school and promote ethical and professional behavior among faculty and staff.

3. Strive for fairness of educational opportunity and responsive practices to promote each student's academic success and well-being. Education leaders create a school culture that values learner differences. Students are known, accepted, valued, and empowered to reach their full potential. The school's culture supports a climate in which students are healthy, safe, and supported. The culture defines high expectations, encourages trust, and expects all to be responsible participants; as a result, all students thrive. Effective leaders:

- (i) Ensure that each student feels a sense of belonging, is treated fairly and respectfully, and is accepted and valued as an active member of the school community.
- (ii) Recognize, respect, and employ each student's strengths, differences, and culture as assets for teaching and learning.
- (iii) Analyze data to ensure that each student has equitable access to effective teachers, learning opportunities, academic and social support, and other resources needed for college/career readiness.
- (iv) Develop and communicate expectations and codes of conduct to address student behavior in a positive and fair manner.
- (v) Eliminate barriers associated with race, class, culture and language, gender and sexual orientation, and disability or special status.
- (vi) Utilize a variety of strategies to examine and address assumptions and beliefs that may conflict with vision, mission, core values, and goals.
- (vii) Incorporate knowledge of the social, cultural, leadership, and political dynamics of the school community to cultivate a positive academic learning environment.
- (viii) Promote the preparation of students to live productively in and contribute to the varied cultural contexts of a global society.
- (ix) Act with cultural competence and responsiveness in their interactions, decision making, and practice.

4. Develop and support intellectually rigorous and coherent systems of curriculum, instruction, and assessment to promote each student's academic success and well-being. Effective educational leaders develop and support intellectually rigorous and coherent systems of curriculum, instruction, and assessment to maximize each student's growth and learning. Education leaders promote the use of rigorous curricula, which set high expectations for students and are aligned to academic standards. They seek to maximize student learning through authentic and differentiated pedagogy, systems of support, and effective assessment strategies that inform instruction. They develop and coordinate these systems in ways that create opportunities to personalize the academic program to meet individual student needs. The effectiveness of implementation and the impact of these systems on student learning are evaluated. Effective leaders:

- (i) Promote the mission, vision, and core values of the school, embody high expectations for student learning, and align curriculum, instruction, and assessment with academic standards that are responsive to the needs of all learners.
- (ii) Align and focus systems of curriculum, instruction, and assessment within and across grade levels to promote student academic success, love of learning, the identities and habits of learners, and healthy sense of self.

(iii) Promote instructional and assessment practice that is consistent with knowledge of learning, learner growth and development, effective pedagogy, and the needs of each student.

(iv) Guide the selection and implementation of evidence-based teaching strategies, curricular materials, educational technologies, and other resources appropriate to address all student populations.

(v) Ensure instructional practice that is intellectually challenging, authentic to student experiences, aligned to student strengths, and is differentiated and personalized.

(vi) Collaboratively model and promote with all stakeholders a culture of high expectations for all students.

(vii) Promote the effective use of technology.

(viii) Employ valid assessments that are consistent with knowledge of child learning and development and technical standards of measurement.

(ix) Monitor and evaluate the use of diagnostic, formative, and summative assessment to provide timely and accurate feedback to students and parents, and to inform instructional practices.

5. Cultivate a welcoming, caring, and supportive school community that promotes the academic success and well-being of each student. Education leaders build a school culture and climate that supports students being known and valued. The learning environment is personalized so students feel encouraged to engage with others as active learners. In such an environment learners are willing to take chances in their learning since a support system has been built to reinforce student learning. Effective leaders:

(i) Build and maintain a safe, caring, and healthy school environment that meets the academic, social, emotional, and physical needs of each student.

(ii) Create and sustain a school environment in which each student is known, accepted and valued, trusted and respected, cared for, and encouraged to be an active and responsible member of the school community.

(iii) Provide coherent systems of academic and social supports, services, extracurricular activities, and accommodations to meet the range of learning needs of each student.

(iv) Promote adult-student, student-peer, and school-community relationships that value and support academic learning and positive social and emotional development.

(v) Cultivate and reinforce student engagement in school and positive student conduct.

(vi) Infuse the school's learning environment with the cultures and languages of the school's community.

6. Develop the professional capacity and practice of school personnel to promote each student's academic success and well-being. Education leaders support the professional learning of effective, caring teachers and leaders who are able to work with students productively in the classroom and who can collaboratively lead a school or district. Building an effective staff requires careful personnel recruitment, selection, assignment of responsibilities, support, evaluation, and retention. Developing the professional skills of educators involves such activities as coaching, creating supportive conditions, and fostering a professional learning community. Effective leaders:

(i) Recruit, hire, assign, support, develop, and retain effective and caring teachers and other professional staff and form them into an educationally effective faculty in an equitable manner based on school needs, and local, state, and federal requirements.

(ii) Plan for and manage staff turnover and succession, providing opportunities for effective induction including mentoring of new personnel by carefully selected and trained mentors.

(iii) Develop teachers' and staff members' professional knowledge, skills, and practice through differentiated opportunities for learning and growth, guided by understanding of professional and adult learning and development.

(iv) Foster continuous improvement of individual and collective instructional capacity to achieve outcomes envisioned for each student.

(v) Deliver actionable feedback about instruction and other professional practice through valid, research-anchored systems of supervision and evaluation to support the development of teachers' and staff members' knowledge, skills, and practice.

(vi) Empower and motivate teachers and staff to the highest levels of professional practice and to continuous learning and improvement.

(vii) Recognize the achievements of highly effective teachers and others by developing the capacity, opportunities, and support for teacher leadership and leadership from other members of the school.

(viii) Promote the personal and professional health, well-being, and work-life balance of faculty and staff.

(ix) Address their own learning and effectiveness through reflection, study and improvement, maintaining a healthy work-life balance.

7. Foster a professional community of teachers and other professional staff to promote each student's academic success and well-being. Education leaders promote each student's academic success and well-being by creating and supporting a professional community of teachers. Building a community of teachers and other professional staff includes creating effective workplace conditions, promoting collective engagement and responsibility, and mutual accountability. Creating professional communities of teachers and other professional staff includes job-embedded opportunities that promote collaborative examination of practice and focuses on improvement of programs and practices. Effective leaders:

(i) Foster supportive workplace conditions for teachers and other professional staff that promote effective professional development, practice, and student learning.

(ii) Empower and entrust teachers and staff with collective responsibility for meeting the academic, social, emotional, and physical needs of each student, pursuant to the mission, vision, and core values of the school.

(iii) Establish and sustain a professional culture of engagement and commitment to shared vision, goals, and objectives pertaining to the education of the whole child; high expectations for professional work; ethical and equitable practice; trust and open communication; collaboration, collective efficacy, and continuous individual and organizational learning and improvement.

(iv) Promote mutual accountability among teachers and other professional staff for each student's success and the effectiveness of the school as a whole.

(v) Develop and support open, productive, caring, and trusting working relationships among leaders, faculty, and staff to promote professional capacity and the improvement of practice.

(vi) Design and implement job-embedded and other opportunities for professional learning collaboratively with faculty and staff.

(vii) Provide roles, structures, opportunities, and norms to support collaborative examination of practice, collegial feedback, and collective learning.

(viii) Encourage faculty-initiated improvement of programs and practices.

(ix) Use data, including student performance data, to evaluate the impact professional learning has on the faculty and staff, the school/district, and student learning.

8. Engage families and the community in meaningful, reciprocal, and mutually beneficial ways to promote each student's academic success and well-being. Education leaders build and sustain productive relationships with families and other community partners in the government, non-profit, and private sectors. They promote understanding, appreciation, and use of the community's cultural, social, and intellectual resources. They communicate regularly and openly with families and community partners, and seek their input and support for continuous improvement efforts. Effective Leaders:

- (i) Are approachable, accessible, and welcoming to all families and community members.
- (ii) Create and sustain positive, collaborative, and productive relationships with families and the community for the benefit of students.
- (iii) Engage in regular and open two-way communication with families and the community about the school, students, needs, challenges, and accomplishments.
- (iv) Maintain a presence in the community to understand its strengths and needs, develop productive relationships, and engage its resources for the school.
- (v) Create means for the school community to partner with families to support student learning in and out of school.
- (vi) Build and sustain mutually beneficial productive partnerships with public and private sectors to share resources and promote school improvement and student learning.
- (vii) Create an environment that values differences, serves as a resource for families and the school community, and welcomes family engagement in school activities.
- (viii) Understand, value, and employ the community's cultural, social, intellectual, and political resources to promote student learning and school improvement.
- (ix) Advocate publicly for the needs and priorities of the school, district, students, families, and the community.
- (x) Work with the community to collect and analyze data on economic, social, and other emerging issues that impact district and school planning, programs, and structures.

9. Manage school operations and resources to promote each student's academic success and well-being. Education leaders are responsible for the effective, efficient, equitable, and ethical management of schools and districts. Their responsibilities include garnering and allocating resources, monitoring and addressing internal and external regulatory requirements, developing organizational policies and practices, and other administrative duties that maintain the continued viability of the school or district. Effective leaders:

- (i) Institute, manage, and monitor operations and administrative systems that promote the mission and vision of the school.
- (ii) Strategically manage staff resources, assigning and scheduling teachers and staff to roles and responsibilities that optimize their professional capacity to address each student's learning needs.
- (iii) Seek, acquire, and manage fiscal, physical, and other resources to support curriculum, instruction, and assessment; student learning community; professional capacity and community; and family and community engagement.
- (iv) Are responsible, ethical, and accountable stewards of the school's monetary and nonmonetary resources, engaging in effective budgeting and accounting practices.
- (v) Protect teachers' and other staff members' work and learning from disruption.

- (vi) Employ technology to improve the quality and efficiency of operations and management.
- (vii) Develop and maintain data and communication systems to deliver actionable information for classroom and school improvement.
- (viii) Know, comply with, and help the school community understand local, state, and federal laws, rights, policies, and regulations to promote student success.
- (ix) Develop and manage relationships with feeder and connecting schools for enrollment management and curricular and instructional articulation.
- (x) Develop and manage productive relationships with the central office and school board.
- (xi) Develop and administer systems for fair and equitable management of conflict among students, faculty and staff, leaders, families, and community.
- (xii) Manage governance processes and internal and external politics toward achieving the school's mission and vision.

10. Act as agents of continuous improvement to promote each student's academic success and well-being.

Educational leaders foster an environment among stakeholders where data are analyzed and used to continuously improve the academic and social success of the students, staff, and the community of learners. Leaders ensure a systematic and collaborative process that promotes a culture of school improvement and accountability. This plan, do, check, act process is created with input from all stakeholders. The leader uses current and relevant research and effectively gathers, analyzes, and interprets student data from multiple sources to promote a shared vision for instructional improvement that engages all stakeholders in decision-making that drives and sustains school improvement for each student. Effective leaders are willing to make difficult decisions and confront adverse situations to promote student academic success and well-being. Effective leaders:

- (i) Use a systematic continuous improvement process to achieve the vision, fulfill the mission, and promote the core values of the school.
- (ii) Create a continuous improvement culture within the school and community that promotes mutual commitment and accountability for student success.
- (iii) Develop the capacity of staff to effectively lead strategic teams in a systematic process of school improvement.
- (iv) Employ situationally-appropriate strategies for improvement, including transformational and incremental, adaptive approaches and attention to different phases of implementation.
- (v) Build the capacity of staff to assess the value and applicability of emerging educational trends and the findings of research for school improvement.
- (vi) Develop systematic processes of data collection, management, and analysis to determine root causes and inform the decision-making process.
- (vii) Adopt a systems perspective ensuring alignment among improvement efforts and within all aspects of school organization, programs, and services.
- (viii) Manage uncertainty, risk, competing initiatives, and politics of change with courage and perseverance, providing support and encouragement, and openly communicating the need for, process for, and outcomes of improvement efforts.
- (ix) Develop and promote leadership among teachers and staff for inquiry, experimentation and innovation, and initiating and implementing improvement.

(c) The Alternative Preparation for Educational Leadership program shall conform to the criteria for Georgia's alternative preparation option defined as a program that prepares the candidate holding the appropriate degree level for a professional leadership certificate. In addition to meeting the standards listed above, program requirements must include the following:

1. Tier I Program Admission.

(i) Non-educator candidates seeking admission to a Tier I program must:

(I) Receive from a LUA a recommendation for admission to the program and assurance the candidate works in a leadership position at least one-half day or more, each day;

(II) Hold, at a minimum, a master's degree from a GaPSC-accepted accredited college or university;

(III) Document five (5) or more years of successful leadership experience and related leadership training, preferably in an executive management, supervisory, or leadership role;

(IV) Provide references documenting evidence of successful performance in a leadership role;

(V) Exhibit professional leadership dispositions through an assessment, developed and/or adopted by the educator preparation provider; and

(VI) Provide evidence of experience in engaging employees in organizational development or professional learning opportunities.

(ii) Candidates currently employed as educators and seeking admission must:

(I) Receive the recommendation of a Georgia LUA for participation in the program and assurance the candidate works in a leadership position at least one-half day or more, each day;

(II) Hold a master's degree or a GaPSC Level 5 or higher professional certificate; candidates who also have national board certification, the Teacher Leadership endorsement, Coaching endorsement or the Teacher Support and Coaching endorsement are ideal. The master's degree must have been earned from a GaPSC-accepted accredited institution.

(III) Provide evidence of successful teacher leadership experience;

(IV) Exhibit professional leadership dispositions through an assessment, developed and/or adopted by the educator preparation provider;

(V) Provide evidence of experience in engaging colleagues in professional learning opportunities; and

(VI) Provide evidence of successful teaching.

(iii) Upon admission, candidates accepted into the Tier I Alternative Preparation program are issued a three (3) year non-renewable leadership certificate upon acceptance and request from the employing LUA, which may be converted to a professional leadership certificate when requirements are met.

(iv) Candidates who enroll in a Tier I Alternative Preparation program must pass the Georgia Ethics for Educational Leadership Assessment prior to beginning program coursework.

2. Tier II Program Admission.

(i) Candidates must be employed in a leadership position in a LUA requiring professional performance-based leadership certification at Tier II.

(ii) In addition, practicing educators seeking admission must:

(I) Receive the recommendation of the employing LUA for participation in the program and assurance that the system will support the work of the candidate in the program;

(II) Hold a level 5 or higher Standard Professional Educational Leadership Tier I certificate or hold a valid, Standard Professional L certificate in Educational Leadership Tier II based on completion of a non- performance-based program; and;

(III) Provide references documenting evidence of successful performance in a leadership position that requires Tier I leadership certification.

3. Candidate Support. All alternative preparation programs require structured supervision and guidance by a team of qualified mentors and coaches for a minimum of a twelve (12) month cycle during Tier I and a minimum of a twelve (12) month cycle during Tier II. The LUA shall provide a mentor with successful leadership experience at the Tier II level relative to the candidate being mentored. The alternative preparation program shall provide coaching by qualified individuals who demonstrate competencies in the knowledge, skills, and dispositions required for accomplished leadership. It is incumbent upon the program provider to ensure individuals providing developmental support (coach and mentor, for example) have successfully completed appropriate training as described in the guidelines.

4. Program Requirements. The alternative preparation program shall develop a performance-based program addressing the following:

(i) Tier I Program.

(I) A Pre-Residency component shall address through courses, modules, seminars or other modes of content delivery, at a minimum school law, the Georgia Code of Ethics for Educators, and organizational leadership with a focus on teaching, learning, and using data in the school improvement process. The pre-residency educational leadership requirements are described in program approval documents submitted to the GaPSC as part of the program approval process for educator preparation programs;

(II) Residency requirements must be successfully completed while employed by a regionally accredited LUA or regionally accredited private school in a Tier I leadership position full-time or part-time, for at least a half day every day for a minimum of a twelve (12) month cycle. Residency requirements for Tier I include the following:

I. Candidates shall participate in carefully designed experiences in addition to completing appropriate coursework, during an extended residency [minimum of a twelve (12) month cycle], providing significant opportunities for candidates to apply the knowledge and guided practice to develop the skills and dispositions identified in the program standards through substantial, sustained, standards-based work in actual Tier I settings;

II. Candidates shall participate in a residency incorporating a continual assessment of candidate application of knowledge, skills, and leadership dispositions. Candidates' performances shall be planned and guided cooperatively by a candidate support team, throughout the program, to provide inclusion of appropriate opportunities to demonstrate knowledge, skills, and dispositions reflective of current leadership research and program standards. At a minimum, the candidate support team shall be composed of the candidate, a trained and qualified leadership coach, a P-12 school-based leader and/or LUA mentor/coach, and a supervisor from the approved program provider; and

III. The residency experiences shall provide candidates with substantial responsibilities that increase over time in amount and complexity, and involve direct interaction and involvement with appropriate staff, students, parents, and community leaders. The preponderance of experiences shall engage candidates in leading rather than observing or participating. Candidates shall demonstrate the ability to lead, facilitate, and make decisions as school leaders. Assessment of candidate performance shall be the responsibility of the approved program provider and shall include multiple formative and summative measures used throughout the residency to measure candidate progress in acquiring knowledge, demonstrating skills, and refining dispositions. Data from these assessments shall be shared

with the candidate, instructors, mentors/coaches, and candidate support team in order to make informed decisions regarding candidate performance, program effectiveness, and EPP operations.

(ii) Tier II Program.

(I) Alternative preparation program advanced residency requirements shall be completed while employed by a regionally accredited LUA or regionally accredited private school in a Tier II level leadership position full-time or part-time, for at least a half day every day for a minimum of a twelve (12) month cycle. Residency requirements for Tier II shall include the following:

(II) Candidates shall participate in performances developed by the candidate support team based on individual performance assessment data, during an extended residency [minimum of a twelve (12) month cycle], providing significant opportunities for candidates through guided practice to apply knowledge, develop skills, and refine dispositions identified in the program standards while engaged in substantial, sustained, standards-based work in actual P-12 school/ system settings;

(III) Candidates shall participate in a performance-based residency incorporating a continual assessment of candidate application of knowledge, skills, and leadership dispositions. Candidates' performances shall be planned and guided cooperatively by a candidate support team, throughout the program, to provide inclusion of appropriate opportunities to demonstrate knowledge, skills, and dispositions reflective of current leadership research and program standards. At a minimum, the candidate support team shall be composed of the candidate, a leadership coach, a P-12 school-based leader and/or LUA mentor/coach, and a supervisor from the approved program provider; and

(IV) The residency experiences shall provide candidates with substantial responsibilities that increase over time in amount and complexity, and involve direct interaction and involvement with appropriate staff, students, parents, and community leaders. The preponderance of experiences shall engage candidates in leading rather than observing or participating. Candidates shall demonstrate the ability to lead, facilitate, and make decisions as P-12 school leaders. Assessment of candidate performance shall be the responsibility of the approved program provider and will include multiple formative and summative measures used throughout the residency to measure candidate progress. Data from these assessments shall be shared with the candidate, instructors, mentors/coaches, and candidate support team in order to make informed decisions regarding candidate performance, program effectiveness, and EPP operations.

5. Certification Requirements. Upon admission, candidates accepted into the Tier II Alternative Preparation program are issued a three (3) year non-renewable leadership certificate upon acceptance and request from the employing LUA, which may be converted to a professional leadership certificate when requirements are met. If the Georgia Ethics for Educational Leadership Assessment was not passed upon enrollment in a Tier I program, it must be passed prior to beginning Tier II coursework. An educator working in a Tier II position who does not hold Tier I certification will be issued a Non-Renewable Professional certificate in each tier. If the Tier I certificate is converted to a Standard Professional certificate, the Non-Renewable Performance-Based Professional certificate in Educational Leadership - Tier II may be extended for an additional three (3) years. While in the program, candidates shall demonstrate continual progress.

6. Exit Requirements. Exit requirements for successful completion of the alternative preparation program at each tier shall provide candidates an opportunity to demonstrate a foundation of knowledge, skills, and dispositions necessary for work in leadership positions in P-12 schools and LUAs. Requirements for each tier shall include the following:

(i) Successful defense of their leadership work before the candidate support team;

(ii) A successful evaluation of the candidate's performance by the superintendent or the superintendent's designee; and

(iii) A passing score on the GACE content assessment for educational leadership for Tier I candidates; for Tier II candidates, a passing score on the Georgia Performance Assessment for Educational Leadership (PASL).

7. Notification of Program Completion. Upon successful completion of all program exit requirements, the GaPSC-approved program provider shall notify the GaPSC that the candidate has met all program requirements and is qualified for a professional Performance-based Tier II certificate.

8. Continuous Improvement as Part of the Program Approval Process.

(i) As part of the continuous improvement cycle required by GaPSC Program Approval Standards (2023), EPPs are advised to engage partner school districts in regularly reviewing program effectiveness. In addition, as a formative measure, EPPs are advised to engage in a mid-cycle review using peers and partners as reviewers; such reviews will have no regulatory consequences. Mid-cycle formative reviews will use a valid and reliable process such as *Quality Measures*.

9. Guidelines. This rule is accompanied by implementation guidelines, *Guidelines for EPPs: Alternative Preparation for Educational Leaders Programs*, providing an overview and guidance regarding program expectations, conditions for admission, pre-residency and residency requirements, coaching and mentoring responsibilities, guidance on establishing partnership agreements, elements pertaining to the defense of leadership work, support of new leaders during an induction period as described in the partnership agreement, and other pertinent information.

(4) **Eligible Program Providers**. The Alternative Preparation for Educational Leadership program may be proposed by any GaPSC-approved EPP that can verify, through the program approval process, the ability to provide an alternative preparation program complying with the definitions, standards, and requirements of the Alternative Preparation for Educational Leadership program as delineated in this rule and accompanying guidelines. The eligible provider shall create a preparation program for both Tier I and Tier II; however, a provider is not required to offer a Tier II program. GaPSC-approved educator preparation providers at LUAs, private schools, or charter schools shall offer an approved alternative preparation program only to those candidates employed by that LUA or P-12 school.

Cite as Ga. Comp. R. & Regs. R. 505-3-.76

AUTHORITY: O.C.G.A. § [20-2-200](#).

HISTORY: Original Rule entitled "Media Specialist Program" adopted. F. Dec. 18, 1991; eff. Jan. 7, 1992.

Repealed: F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

Amended: New Rule entitled "Related Vocational Instruction (RVI) Endorsement Program" adopted. F. Oct. 24, 2005; eff. Nov. 15, 2005, as specified by the Agency.

Repealed: New Rule entitled "Career Technical Instruction Endorsement Program (CTI)" adopted. F. Feb. 16, 2009; eff. Mar. 15, 2009, as specified by the Agency.

Repealed: New Rule entitled "Alternative Preparation for Educational Leadership Program" adopted. F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

Amended: F. Jun. 13, 2014; eff. July 3, 2014.

Repealed: New Rule of same title adopted. F. Mar. 25, 2015; eff. Apr. 15, 2015, as specified by the Agency.

Amended: F. Dec. 21, 2015; eff. Jan. 15, 2016, as specified by the agency.

Repealed: New Rule of same title adopted. F. Dec. 20, 2016; eff. Jan. 15, 2017, as specified by the Agency.

Repealed: New Rule of same title adopted. F. June 25, 2018; eff. July 15, 2018.

Amended: F. Dec. 11, 2020; eff. Jan. 1, 2021, as specified by the Agency.

Amended: F. June 21, 2023; eff. July 1, 2023, as specified by the Agency.

Amended: F. Dec. 14, 2023; eff. Jan. 1, 2024, as specified by the Agency.

505-3-.92 K-5 Mathematics Endorsement

(1) Purpose.

(a) This rule describes requirements and field-specific content standards for approving endorsement programs that prepare mathematics specialists for teaching students in grades K-5 and supplements requirements in Rule [505-3-.01](#) REQUIREMENTS AND STANDARDS FOR APPROVING PROFESSIONAL EDUCATION UNITS AND EDUCATOR PREPARATION PROGRAMS.

(b) This endorsement is designed to strengthen and enhance educator competency levels. Individuals teaching mathematics in grades K-5 who hold a valid, level 4 or higher Induction, Professional, Advanced Professional, or Lead Professional teaching certificate and this endorsement will be eligible to earn salary incentives when funded by the General Assembly. The endorsement applies to educators teaching within grades K-5 but it does not modify the grade levels of the base certificate. For example, educators with the Middle Grades Mathematics (4-8) certificate and this K-5 endorsement are only in-field to teach mathematics in grades 4-8. They will be eligible for salary incentives only if they are assigned to teach mathematics in grades 4 or 5.

(c) Individuals with the following certificates will be eligible for pay incentives if they are assigned to teach mathematics in the grade levels defined below:

1. Elementary Education (P-5) certificate holders will be eligible to earn pay incentives if they are assigned to teach mathematics to children in grades K-5.

2. Middle Grades Mathematics (4-8) certificate holders will be eligible to earn pay incentives if they are assigned to teach mathematics to children in grades 4-5.

3. Special Education General Curriculum/Elementary Education (P-5) certificate holders will be eligible to earn pay incentives if they are assigned to teach mathematics to children in grades K-5.

4. Educators holding the following certificates and a core academic content concentration in mathematics will be eligible to earn pay incentives if they are assigned to teach mathematics to children in grades K-5:

(i) Special Education General Curriculum (P-12)

(ii) Special Education Adapted Curriculum (P-12)

(iii) Special Education Behavior Disorders (P-12)

(iv) Special Education Learning Disabilities (P-12)

(v) Special Education Deaf Education (P-12)

(vi) Special Education Physical and Health Disabilities (P-12)

(vii) Special Education Visual Impairment (P-12)

(viii) Gifted Education (P-12)

(2) **In-Field Statement.** Completers of the K-5 Mathematics Endorsement program have strengthened and enhanced competency levels in mathematics content and instruction for teaching students in grades Kindergarten through five, based on the grade levels of their base certificate.

(3) Requirements.

(a) To be eligible to enroll in this endorsement program, the educator must have:

1. A valid, level 4 or higher Induction, Professional, Advanced Professional, or Lead Professional teaching certificate, in one of the following fields:

(i) Elementary Education (P-5);

(ii) Middle Grades Mathematics (4-8);

(iii) Special Education General Curriculum/Elementary Education (P-5); or

(iv) any of the following certificates combined with a core academic content concentration in mathematics:

(I) Special Education General Curriculum (P-12);

(II) Special Education Adapted Curriculum (P-12);

(III) Special Education Behavior Disorders (P-12);

(IV) Special Education Learning Disabilities (P-12);

(V) Special Education Deaf Education (P-12);

(VI) Special Education Physical and Health Disabilities (P-12);

(VII) Special Education Visual Impairment (P-12); or

(VIII) Gifted Certificate (P-12); and

2. A minimum of one year of teaching experience.

(b) The program may be offered only by a GaPSC-approved educator preparation provider.

(c) The program shall be offered as a post-baccalaureate endorsement and may not be embedded in an initial preparation program.

(d) The program shall require candidates to complete an authentic residency. An authentic residency is defined as a supervised and coordinated series of real applications of knowledge and skills occurring in actual classroom settings that allow candidates to further develop and demonstrate the knowledge and skills acquired in coursework. Residency experiences shall require demonstration of the content knowledge and pedagogical skills delineated in program content standards. Authentic residency experiences shall occur in candidates' assigned classrooms, as well as in settings other than candidates' assigned classrooms to ensure experiences with a variety of students and with students in the grade levels of the candidate's base certificate. The authentic residency must include a portfolio component.

(e) The portfolio shall include but not be limited to: evidence of observations by supervisors, student work samples including analysis of student work, self-reflection and evidence of competence in the six standards specified below.

(f) The preparation program described in program planning forms, catalogs, and syllabi shall require a minimum of three courses of which two courses shall be focused on the advancement of content knowledge and one course shall be focused on content-specific pedagogy and proven strategies that address the following standards adapted from the standards published in 2020 by the National Council of Teachers of Mathematics (NCTM), as well as portions of the 2014 NCTM document titled, *Principles to actions*.

1. Knowing and Understanding Meaningful Mathematics: Candidates demonstrate conceptual understanding, procedural fluency, application, and progression within and among the major concepts of mathematics appropriate for grades K-5:

(i) Number and Operations

(I) Preenumeration concepts and numeracy progression;

(II) Development, use, and multiple representation of numbers and number systems;

(III) Numbers (whole numbers, fractions, decimals, percents) and their relationships;

(IV) Place value, in the study of base ten and other number systems, and flexible use with operations;

(V) Model the use of the four basic operations in multiple contexts with the understanding of common additive/multiplicative problem situations/types;

(VI) Four basic operations with positive and negative rational numbers;

(VII) Use a variety of mental computation techniques or computational strategies;

(VIII) Apply estimation strategies to quantities, measurements, and computation to determine the reasonableness of results;

(ii) Algebraic Thinking

(I) Describe, extend, and generate patterns; model various kinds of growth, both numerical and geometric;

(II) Symbols - such as representing unknowns or relationships (e.g. equals sign);

(III) Generalization;

(IV) Relationships - describe and represent mathematical relationships;

(V) Algebraic concepts that focus on properties of the number system and their connection to the order of operations;

(VI) Model, explain, and develop a variety of (invented and standard) computational algorithms;

(VII) Write, interpret, and evaluate numerical expressions within real-life problems;

(VIII) Logical conjectures and conclusions using quantifiers such as "all", "some", and "none";

(iii) Statistical Reasoning

(I) The nature and use of data;

(II) Categorical and numerical data;

(III) Statistical investigative questions;

(IV) Data collection, organization, and representation;

(V) Elementary data analysis;

(VI) Drawing conclusions and making inference;

(iv) Geometry and Measurement

(I) Measurement as a concept, an attribute of a shape (what does it mean to have a measure, and what are you measuring);

(II) Measurement of time;

(III) Measurement of one-, two- and three-dimensional objects using nonstandard, customary and metric units;

(IV) Conversion of measurement units;

(V) 1D, 2D and 3D shapes and their properties;

(VI) Spatial visualization;

(VII) Location;

(VIII) Use geometric concepts and relationships to describe and model mathematical ideas and real world constructs.

2. **Knowing and Using Mathematical Processes:** Candidates demonstrate, within or across mathematical domains, their knowledge of and ability to apply the mathematical processes of:

(i) Problem Solving. Candidates demonstrate a range of mathematical problem-solving strategies to make sense of and solve cognitively-demanding tasks, both contextual and non-contextual.

(ii) Reasoning and Communicating. Candidates organize their mathematical thinking and use the language of mathematics to express ideas precisely in verbal and written formats.

(iii) Modeling. Candidates apply their mathematical knowledge to analyze and model contextual problems. They use models such as manipulatives, tables, diagrams, and graphs, equations, and technological tools to represent the mathematical relationships in contextual problems.

3. **Knowing Students and Planning for Mathematical Learning:** Candidates use knowledge of students and mathematics to plan rigorous and engaging mathematics instruction supporting all students' access and learning. The mathematics instruction that is developed provides fair and impartial, culturally responsive opportunities for all students to go deep with mathematics, leverage multiple mathematical competencies, affirm mathematical identities, challenge spaces of marginality, and draw on multiple resources of knowledge.

(i) Student Differences. Candidates design lessons in which all students have access to engage in meaningful mathematics, drawing upon cultural, linguistic, and academic differences. Candidates draw on student and community assets during lesson preparation that draw on student thinking and experiences.

(ii) Student Mathematical Strengths. Candidates recognize the mathematical strengths in each and every student. Candidates plan instruction to draw upon the variety of mathematical strengths present in the classroom.

(iii) Student Thinking about Mathematical Content. Candidates anticipate students' mathematical thinking. Candidates plan for instruction that attends to this thinking and is grounded in mathematical learning progressions.

(iv) Student Mathematical Identities. Candidates design learning experiences and plan instruction that develop and foster positive mathematical identities, grounded in the understanding that teachers' interactions impact individual students by influencing and reinforcing students' mathematical identities, positive or negative. They build lessons in which students are able to see themselves. Candidates purposefully group students to promote positive mathematical learning and identities, with the awareness of the negative impacts of homogeneous and static grouping practices.

4. Teaching Meaningful Mathematics: Candidates plan and implement effective teaching practices to support rigorous mathematical learning for each and every student drawing upon their knowledge of students.

(i) Establish mathematics goals to focus learning. Candidates establish clear goals for the mathematics that students are learning, situates goals within learning progressions, and uses the goals to guide instructional decisions.

(ii) Implement tasks that promote reasoning and problem solving. Candidates engage students in solving and discussing tasks that promote mathematical reasoning and problem solving and allow multiple entry points and varied solution strategies.

(iii) Use and connect mathematical representations. Candidates engage students in making connections among mathematical representations to deepen understanding of mathematics concepts and procedures and as tools for problem solving.

(iv) Facilitate meaningful mathematical discourse. Candidates facilitate discourse among students to build shared understanding of mathematical ideas by analyzing and comparing student approaches and arguments.

(v) Pose purposeful questions. Candidates use purposeful questions to assess and advance students' reasoning and sense making about important mathematical ideas and relationships.

(vi) Build procedural fluency from conceptual understanding. Candidates build fluency with procedures on a foundation of conceptual understanding so that students, over time, become skillful in using procedures flexibly as they solve contextual and mathematical problems.

(vii) Support productive struggle in learning mathematics. Candidates consistently provide students, individually and collectively, with opportunities and support to engage in productive struggle as they grapple with mathematical ideas and relationships.

(viii) Elicit and use evidence of student thinking. Candidates use evidence of student thinking to assess progress toward mathematical understanding and to adjust instruction continually in ways that support and extend learning.

5. Assessing Impact on Student Learning: Candidates use appropriate assessment methods to collect and analyze evidence of students' mathematics learning, modify instruction, monitor teaching effectiveness, and evaluate program effectiveness.

(i) Assessing for Learning. Candidates select, modify, and create a variety of formative methods to elicit information on students' progress toward mathematical learning goals.

(ii) Modify Instruction. Candidates use formal and informal formative assessment data regarding learning of individual students, the class as a whole, and subgroups in order to analyze the effectiveness of their instruction. Candidates propose adjustments and modify instruction.

(iii) Analyze Assessment Data. Candidates collect and use summative assessment data regarding learning of individual students, the class as a whole, and subgroups in order to determine mastery of learning goals.

6. Personal, Social, and Professional Context of Mathematics Education: Candidates are reflective mathematics educators who collaborate with colleagues and other stakeholders to grow professionally, and foster and advocate for fair and impartial mathematics learning environments.

(i) Demonstrate a Positive Mathematical Identity. Candidates reflect on and pursue continuous growth of a positive mathematical identity.

(ii) Collaborate with Families and Community. Candidates collaborate with families and other stakeholders to share and discuss strategies for ensuring children's mathematical success.

(iii) Participate in Professional Organizations and Communities. Candidates are involved in and draw upon the resources of professional communities in mathematics education.

(iv) Consider Social Context of Mathematics Teaching and Learning. Because social, historical, and institutional contexts of mathematics affect teaching and learning, candidates will know about and integrate these ideas in their instruction.

Cite as Ga. Comp. R. & Regs. R. 505-3-.92

AUTHORITY: O.C.G.A. § [20-2-200](#).

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Repealed: New Rule with the same title adopted. F. Sep. 24, 2021; eff. Oct. 15, 2021, as specified by the Agency.

Amended: New title, "K-5 Mathematics Endorsement." F. Aug. 10, 2023; eff. Aug. 15, 2023, as specified by the Agency.

Amended: F. Dec. 14, 2023; eff. Jan. 1, 2024, as specified by the Agency.

505-3-.104 Teacher Leader Endorsement

(1) **Purpose.** This rule states field-specific content standards for approving endorsement programs that prepare individuals to serve in teacher leader roles in grades P-12 and 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 Teacher Leader Endorsement have strengthened and enhanced competencies to:

- (a) Facilitate the design and implementation of sustained, intensive, and job-embedded professional learning based on identified student and teacher needs;
- (b) Work with others to promote the development of a school culture that fosters excellence in teaching and learning and focuses on continuous improvement creating a sense of belonging and building a collaborative work environment;
- (c) Demonstrate a comprehensive understanding of curriculum and apply this knowledge to the alignment of curriculum, instruction, and assessment to standards;
- (d) Model best practices in pedagogy and serve as a mentor and coach for other educators;
- (e) Work with others to design and implement assessment practices and analyze data for monitoring and improving teaching and learning;
- (f) Both explore existing research and also engage in the research process for the purpose of improving teaching and learning via the application of the collective findings; and

(g) Demonstrate the ability to collaborate with all stakeholders to improve student learning and foster/influence change.

(3) Requirements.

(a) A valid, level 4 or higher Induction, Professional, Advanced Professional, or Lead Professional teaching certificate, service certificate, leadership certificate, or Life certificate is required for program admission. While at least one year of successful classroom teaching experience is required for program admission, this program is better suited for teachers who have completed the induction phase of their careers, or have at least three years of teaching experience.

(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. Candidates who complete the program are teacher leaders who will facilitate the design and implementation of sustained, intensive, and job-embedded professional learning based on identified student and teacher needs. The teacher leader:

(i) Applies appropriate knowledge and strategies of adult learning theories across teacher leadership and professional learning practices;

(ii) Models lifelong learning for students, colleagues, and community stakeholders by being reflective, by engaging in professional development, advocating for the profession, and staying current and knowledgeable of policy, trends, and practices in education;

(iii) Works with others to build, lead, and assist with creating and sustaining viable professional learning communities designed to support the collaborative work of schools;

(iv) Collects data in order to diagnose staff needs, works with administrators to implement strategies to address needs, and provides ongoing support;

(v) Mentors colleagues and participates in professional learning via supportive observation and feedback that models reflective practice;

(vi) Stays current with research on the organizational conditions and features of effective professional learning, which are necessary for designing and implementing ongoing professional learning experiences that are based on best practices and identified teacher and student needs;

(vii) Involves colleagues in development, implementation, and evaluation of a coherent professional learning plan based on school goals;

(viii) Teaches and models changes in teacher practices that are necessary for improvement in student learning;

(ix) Applies the knowledge and skills of effective mentoring, coaching, and instructional leadership to provide support for teachers' professional learning and practice;

(x) Utilizes multiple measures to continually assess the effectiveness of professional learning activities and makes adjustments as needed; and

(xi) Designs, facilitates, and implements professional development aligned to state and national professional learning standards.

2. Candidates who complete the program are teacher leaders who work with others to promote the development of a school culture that fosters excellence in teaching and learning and focuses on continuous improvement, creating a sense of belonging, and building a collaborative work environment. The teacher leader:

- (i) Works with others to create an environment where colleagues and students take learning risks, where fear of initial failure is minimized and mistakes are openly discussed;
- (ii) Uses effective conflict management, team building, and consensus-building skills in a variety of contexts to build a culture of collaboration, respect, trust and high expectations;
- (iii) Works with others to create an environment that encourages needed change using a research-based change model;
- (iv) Supports analysis of the school's culture and builds understanding of the impact of organizational culture on teaching and learning;
- (v) Engages colleagues in creating a culture supportive of a collaborative learning community that embraces a shared vision of mission and desired results;
- (vi) Considers the ethical and legal implications of decisions made individually and collectively;
- (vii) Is informed on emerging trends and initiatives, and as a result helps the school or school district refine, redefine, or sharpen its vision;
- (viii) Facilitates the development of an interdependent culture of improvement and accountability grounded in the belief that collective responsibility and commitment to the team are fundamental to the school's success;
- (ix) Clarifies issues to sharpen the focus on the elements of student, adult, and organizational culture that are most important to the school's success; and
- (x) Works with others to build a culture that personalizes the work and learning of colleagues and students.

3. Candidates who complete the program are teacher leaders who demonstrate a comprehensive understanding of curriculum and apply this knowledge to lead colleagues to align curriculum, instruction, and assessment to standards. The teacher leader:

- (i) Possesses an in-depth knowledge of his/her discipline, and is knowledgeable about the structure of the curriculum;
- (ii) Understands how the programs of study from various disciplines and grade levels are related and sequenced in order to design and deliver meaningful and relevant professional learning and instructional strategies;
- (iii) Uses a variety of processes to engage and focus teachers in cooperative planning to improve teaching and learning;
- (iv) Uses appropriate research-informed protocols to audit curriculum and analyze student work to assure high expectations for all students;
- (v) Demonstrates deep understanding of the curriculum and is able to use a variety of protocols and organizing frameworks to engage in discussions about what students should know, understand, and do in each instructional unit based on those standards;
- (vi) Identifies content specific resources that are important in the curriculum implementation process; and
- (vii) Leads others in prioritizing, mapping, and monitoring the implementation of the curriculum.

4. Candidates who complete the program are teacher leaders who model best practices in pedagogy and serve as a mentor and coach for other educators. The teacher leader:

- (i) Models and articulates exemplary instructional practices and strategies based on evidence-based research;

- (ii) Models the effective application of curriculum standards, instructional choices, and a variety of student assessment practices;
- (iii) Guides and assists teachers in designing and planning quality and meaningful student work and learning experiences;
- (iv) Assists teachers in developing higher order questions that promote thoughtful discourse and critical thinking in the classroom;
- (v) Guides teachers in the in-depth understanding of lesson planning and delivery of content in clear and meaningful ways;
- (vi) Models the integration of technology to support classroom instruction and student learning; and
- (vii) Coaches teachers through the reflective process so that they examine their existing practices for the purpose of improving their future planning.

5. Candidates who complete the program are teacher leaders who work with others to design and implement assessment practices and analyze data for monitoring and improving teaching and learning through data-informed decision making. The teacher leader:

- (i) Guides teachers in the selection of appropriate assessment instruments and practical assessment strategies to improve instruction and monitor student learning;
- (ii) Assists teachers in identifying resources and providing appropriate support services for specific student needs;
- (iii) Assists teachers in using formative and summative data to assess student progress toward and attainment of expected outcomes;
- (iv) Facilitates teachers in the collection, analysis, use, and interpretation of varied assessment data for instructional decisions and changes;
- (v) Facilitates the use of multiple sources of evidence to monitor and evaluate teaching and learning; and
- (vi) Is knowledgeable of research on the appropriate use of assessment instruments and data analysis techniques, and can coach colleagues on their implementation.

6. Candidates who complete the program are teacher leaders who collaborate to explore existing research, engage in new research, and apply those collective findings to the improvement of teaching and learning. The teacher leader:

- (i) Guides colleagues to relevant research to find the appropriate method and solutions for instructional problems and challenges;
- (ii) Conducts and facilitates action research to improve educational outcomes and to help address critical educational issues;
- (iii) Follows legal and ethical procedures when conducting research;
- (iv) Reads and stays informed of current educational research, trends, and innovations; and shares current research with the school community;
- (v) Analyzes a variety of valid, reliable, and evidence based research before making decisions; and
- (vi) Initiates new or different approaches based on informed decision-making.

7. Candidates who complete the program are teacher leaders who demonstrate the ability to collaborate with all stakeholders to improve student learning and foster, as well as influence change. The teacher leader:

- (i) Facilitates group processes and builds alliances between and among stakeholders necessary for school improvement;
- (ii) Exhibits strong interpersonal skills that establish and maintain effective working relationships;
- (iii) Develops and sustains trusting, productive, and supportive relationships with all stakeholders;
- (iv) Promotes an atmosphere of collaboration through the effective use of problem solving processes and protocols;
- (v) Supports colleagues in the development and improvement of interpersonal skills;
- (vi) Promotes effective communication and collaboration with the school community's broad range of backgrounds and populations to enrich the educational experience of all students;
- (vii) Articulates and advocates to various audiences the rationale and processes of school improvement;
- (viii) Facilitates open dialogue of ideas and information that support student achievement goals and the change of teaching and learning practices; and
- (ix) Identifies and effectively utilizes resources to promote school, family, and community relations.

Cite as Ga. Comp. R. & Regs. R. 505-3-.104

AUTHORITY: O.C.G.A. § [20-2-200](#).

HISTORY: Original Rule entitled "Teacher Leader Endorsement Program" adopted. F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

Amended: F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

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

Amended: New title, "Teacher Leader Endorsement." F. Aug. 10, 2023; eff. Aug. 15, 2023, as specified by the Agency.

Amended: F. Dec. 14, 2023; eff. Jan. 1, 2024, as specified by the Agency.

Department 505. PROFESSIONAL STANDARDS COMMISSION

Chapter 505-6. PROFESSIONAL PRACTICES

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

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

(2) Definitions.

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

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

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

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

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

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

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

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

(3) Standards.

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

guilt or sentence was otherwise withheld or not entered on the charge or the charge was otherwise disposed of in a similar manner in any jurisdiction.

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

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

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

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

(i) For the purposes of this standard, an educator shall be considered "under the influence" if the educator exhibits one or more of the following indicators, including but not limited to: slurred speech, enlarged pupils, bloodshot eyes, general personality changes, lack of physical coordination, poor motor skills, memory problems, concentration problems, etc.

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

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

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

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

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

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

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

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

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

1. Failure to report to the GaPSC all requested information on documents required by the GaPSC when applying for or renewing any certificate with the GaPSC;

2. Failure to make a required report of an alleged or proven violation of one or more standards of the Code of Ethics for Educators of which they have personal knowledge as soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner; and

3. Failure to make a required report of any alleged or proven violation of state or federal law as soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner. These reports include but are not limited to: murder, voluntary manslaughter, aggravated assault, aggravated battery, kidnapping, any sexual offense, any sexual exploitation of a minor, any offense involving a controlled substance and any abuse of a child if an educator has reasonable cause to believe that a child has been abused.

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

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

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

(4) Reporting.

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

(b) The GaPSC notifies local and state officials of all disciplinary actions. In addition, suspensions and revocations are reported to national officials, including the National Association of State Directors of Teacher Education and Certification (NASDTEC) Clearinghouse.

(5) Disciplinary Action.

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

1. Unethical conduct as outlined in The Code of Ethics for Educators, Standards 1-10 (GaPSC Rule [505-6-.01](#));
2. Disciplinary action against a certificate on grounds consistent with those specified in the Code of Ethics for Educators, Standards 1-10 (GaPSC Rule [505-6-.01](#));
3. Order from a court of competent jurisdiction or a request from the Department of Human Services that the certificate should be suspended or the application for certification should be denied for non-payment of child support (O.C.G.A. § [19-6-28.1](#) and § [19-11-9.3](#));
4. Suspension or revocation of any professional license or certificate;

5. Violation of any other laws and rules applicable to the profession (O.C.G.A. § [16-13-111](#)); and

6. Any other good and sufficient cause that renders an educator unfit for employment as an educator.

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

(c) The GaPSC is authorized to determine no probable cause as provided in O.C.G.A. § [20-2-984.4\(e\)](#) and § [20-2-984.5\(e\)](#) if:

1. After a preliminary investigation is concluded it is unlikely that there exists a preponderance of the evidence necessary to prove at a hearing that a violation occurred; or

2. After a hearing the administrative law judge makes a determination that there is not a preponderance of the evidence necessary to prove that a violation occurred.

(d) The GaPSC is authorized to determine no further action is necessary pursuant to O.C.G.A. § [20-2-984.5\(a\)](#) if after review of the report of the preliminary investigation, sanctions should not be imposed.

(6) Sanctions.

(a) As outlined in O.C.G.A. § [20-2-984.5\(c\)](#), the GaPSC has the discretion to issue a probable cause sanction against an educator. Common violations and associated sanctions can be found in the accompanying GaPSC Guidance.

1. Denial is the refusal to grant initial certification to an applicant for a certificate;

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

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

4. Revocation is the permanent invalidation of any certificate held by the educator. A Voluntary Surrender is equivalent to and has the same effect as a revocation. A Voluntary Surrender shall *be accepted and* becomes effective upon receipt by the GaPSC;

5. Suspension is the temporary invalidation of any certificate for a period of time specified by the GaPSC; and

6. Warning informs the certificate holder that his or her conduct is unethical. The warning cautions that further unethical conduct will lead to a more severe action.

(7) Application Procedures.

(a) "Yes" answers to Personal Affirmation Questions (PAQs) require submission of information identified in the accompanying GaPSC Guidance.

(b) With respect to an initial applicant, an application and corresponding ethics case that is initiated pursuant to O.C.G.A. § [20-2-984.3\(c\)](#) will automatically close and be placed on hold if the applicant fails to submit requested documentation to the Ethics Division within 45 days of the request to the applicant. The application will be placed on hold in anticipation of the submission of a new application and the applicant's responding to any requests for documentation in a timely fashion.

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

AUTHORITY: O.C.G.A. § [20-2-200](#).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Repealed: New Rule with same title adopted. F. Dec. 9, 2022; eff. Jan. 1, 2023, as specified by the Agency.

Amended: F. Dec. 14, 2023; eff. Jan. 1, 2024, as specified by the Agency.

505-6-.02 Procedures for Invalidated or Denied Certification

(1) Reinstatement of a suspended certificate.

(a) If the certificate was suspended according to the stipulations of GaPSC Rule [505-6-.01](#) THE CODE OF ETHICS FOR EDUCATORS (5) (a) 3., it will be reinstated automatically when the Georgia Professional Standards Commission (GaPSC) is notified by a court of competent jurisdiction or the Department of Human Services to do so provided the certificate has not expired during the period of suspension. If the certificate has expired, current applicable GaPSC certification requirements must be met prior to reinstatement.

(b) A suspended certificate is automatically reinstated at the end of the suspension period, provided it did not expire during that time. If the certificate expired during the period of suspension, a new certificate may be secured at the end of the suspension period by making application and by meeting the current applicable certification requirements of the GaPSC.

(c) Any person whose certificate has been suspended may petition for early reinstatement of a suspended certificate or for early renewal of an expired certificate by submitting sufficient evidence to the GaPSC that the reason or reasons for the suspension have ceased to be a factor in the performance or conduct of the educator seeking reinstatement. The GaPSC may consider the request based solely upon the written submission of the educator or his/her authorized representative and without conducting an oral hearing. Petitions are not contested matters under the Administrative Procedures Act and; therefore, do not afford educators due process rights.

(2) Revocation of a certificate is permanent subject to the following provisions:

(a) Any person whose certificate has been revoked may petition for the right to apply for a new certificate by submitting sufficient evidence to the GaPSC that the reason or reasons for the revocation have ceased to be a factor in the performance or conduct of the educator seeking a new certificate. The GaPSC may consider the request based solely upon the written submission of the educator or his/her authorized representative. This provision does not apply to a person whose case falls under paragraph (2)(c).

(b) A period of three years must elapse from the date of the certificate revocation before a petition to apply for a new certificate will be considered. If the initial petition to apply for a new certificate is denied, any subsequent petition to apply for a new certificate may not be filed earlier than two years from the date of the previous denial. Petitions are not contested matters under the Administrative Procedures Act and; therefore, do not afford educators due process rights. The GaPSC reserves the right to consider the time to apply after the initial three-year period on a case-by-case basis. If the GaPSC approves the petition to apply for a new certificate, then the individual must satisfy all current certification requirements.

(c) Any person whose certificate was revoked for one of the following reasons shall not be eligible to petition for the right to reapply:

1. Engaging in an inappropriate relationship with a student that included physical contact;
2. Being convicted of, notwithstanding the form of the judgment or withheld judgment, felony cruelty to children;
3. Being convicted of, notwithstanding the form of the judgment or withheld judgment, any misdemeanor or felony sexual act committed against a student; or
4. Providing a controlled substance to a student or engaging in the use of a controlled substance with a student; or
5. Being dishonorably discharged from the United States armed forces for desertion.

(3) Re-application following the denial of a certificate.

(a) If an application is denied according to the stipulations of GaPSC Rule [505-6-.01](#) THE CODE OF ETHICS FOR EDUCATORS (5) (a) 3., a certificate will automatically be granted upon notification by a court of competent jurisdiction or the Department of Human Services to do so provided current certification requirements are met.

(b) Any person whose certificate has been denied may petition for the right to reapply for a certificate by submitting sufficient evidence to the GaPSC that the reason or reasons for the denial have ceased to be a factor in the performance or conduct of the educator seeking a certificate. The GaPSC may consider the request based solely upon the written submission of the educator or his/her authorized representative and without conducting an oral hearing. If the GaPSC approves the petition to apply for a certificate, then the individual must satisfy all current certification requirements. This provision does not apply to a person whose case falls under paragraph (3)(d).

(c) If application for a certificate is denied on the same grounds for which a certificate may be revoked or suspended, except under the stipulation addressed in GaPSC Rule [505-6-.01](#) THE CODE OF ETHICS FOR EDUCATORS (5) (a) 3., any petition to apply for certification will not be considered earlier than two years from the date of the denial. If the initial petition to apply for certification is denied, any subsequent petition may not be filed earlier than one year from the date of the previous denial. Petitions are not contested matters under the Administrative Procedures Act and; therefore, do not afford educators due process rights.

(d) Any person who is convicted of, notwithstanding the form of the judgment or withheld judgment, any of the following offenses shall not be eligible to petition for the right to reapply:

1. Any act that requires an individual's inclusion on the Sex Offender Registry;
2. Any act, other than misdemeanor Vehicular Homicide, that is considered homicide;
3. Any misdemeanor or felony sexual act committed against a student;
4. Any act of enticing, luring, or exploiting a student; or
5. Being dishonorably discharged from the United States armed forces for desertion.

Cite as Ga. Comp. R. & Regs. R. 505-6-.02

AUTHORITY: O.C.G.A. § [20-2-200](#).

HISTORY: Original Rule entitled "Reinstatement or Renewal of a Suspended or Revoked Certificate" adopted. F. July 10, 2000; eff. August 1, 2000, as specified by the Agency.

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

Amended: F. Feb. 27, 2002; eff. Apr. 1, 2002, as specified by the Agency.

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

Repealed: New Rule entitled "Procedures for Invalidated or Denied Certification" adopted. F. Mar. 26, 2021; eff. Apr. 15, 2021, as specified by the Agency.

Amended: F. Dec. 14, 2023; eff. Jan. 1, 2024, as specified by the Agency.

Department 515. RULES OF GEORGIA PUBLIC SERVICE COMMISSION

Chapter 515-9. SAFE INSTALLATION AND OPERATION OF NATURAL GAS TRANSMISSION AND DISTRIBUTION SYSTEMS

Subject 515-9-4. ENFORCEMENT PROCEDURES UNDER THE GEORGIA UNDERGROUND FACILITY PROTECTION ACT

515-9-4-.01 Purpose of Procedures

The purpose and scope of these rules is to describe the enforcement authority and sanctions exercised by the Georgia Public Service Commission in carrying out its duty to enforce the provisions of the Georgia Underground Facility Protection Act (O.C.G.A. § [25-9-1](#) et seq.). These rules also prescribe the procedures governing the exercise of that authority and imposition of those sanctions.

Cite as Ga. Comp. R. & Regs. R. 515-9-4-.01

AUTHORITY: O.C.G.A. § [46-2-30](#).

HISTORY: Original Rule entitled "Purpose of Procedures" adopted. F. Dec. 8, 2000; eff. Dec. 28, 2000.

Repealed: New Rule of same title adopted. F. Feb. 5, 2002; eff. Feb. 25, 2002.

Amended: F. Dec. 21, 2006; eff. Jan. 10, 2007.

Amended: F. Dec. 22, 2023; eff. Jan. 11, 2024.

515-9-4-.02 Definitions

Terms used in these rules have the following meaning:

- (a) "Act" means the Georgia Underground Facility Protection Act (O.C.G.A. § [25-9-1](#) et seq.).
- (b) "Advisory committee" means the committee appointed by the Governor pursuant to O.C.G.A. [25-9-13\(g\)\(1\)](#).
- (c) "Business days" means Monday through Friday, excluding the following holidays: New Year's Day, Birthday of Dr. Martin Luther King, Jr., Memorial Day, Independence Day, Labor Day, Thanksgiving Day and the following Friday, Christmas Eve, and Christmas Day. Any such holiday that falls on a Saturday shall be observed on the preceding Friday. Any such holiday that falls on a Sunday shall be observed on the following Monday. If Christmas Eve falls on a Friday, it shall be observed on the preceding Thursday. If Christmas Eve falls on a Sunday, it shall be observed on the following Tuesday.
- (d) "Business hours" means the time from 7:00 A.M. to 4:30 P.M. local time on business days.
- (e) "Commission" means the Georgia Public Service Commission.
- (f) "Effective date" means the calendar day on which blasting or excavating is anticipated to begin as indicated by the excavator in the locate request.

(g) "Facility owner or operator" means any person or entity that owns, operates or controls the operation of an underground facility.

(h) "Person" means an individual, firm, joint venture, partnership, association, municipality, state or other governmental unit, authority, department, agency, or a corporation and shall include any trustee, receiver, assignees, employee, agent or personal representative thereof.

(i) "Underground facility" means an underground or submerged fiber, conductor, pipe, 199 or structure used or installed for use in providing traffic control, traffic management, 200 electric service, or communications service, or in carrying, providing, or gathering gas, 201 oil or oil products, sewage, wastewater, storm drainage, or water or other liquids. All 202 underground facilities shall be considered to extend up to the connection to the customer's 203 facilities. Such terms shall not include sewer laterals or publicly or privately owned 204 railroad facilities.

(j) "Utilities Protection Center" or "UPC" means the corporation or other organization formed by facility owners or operators to provide a joint telephone number notification service for the purpose of receiving advance notification from persons planning to blast or excavate and distributing such notifications to its affected facility owner or operator members.

(k) O.C.G.A. § [25-9-3\(21\)](#) defines "Large Project" as an excavation that involves more work to locate underground facilities than can reasonably be completed within the requirements of subsection (a) of O.C.G.A. Section [25-9-7](#). This requires a facility owner or operator to locate and mark its facilities prior to 7:00 A.M. on the effective date. For simplicity of administration by the Commission, a "large project" shall include at a minimum, any single mechanized excavation or blasting, as those terms are defined by O.C.G.A. § [25-9-3\(15\)](#) and § [25-9-3\(4\)](#), at a contiguous geographical site or area that exceeds or will exceed one linear mile or that reasonably requires or will require more than ninety (90) days to complete. Nothing in this rule shall prohibit any person from requesting a large project ticket for any other project.

Cite as Ga. Comp. R. & Regs. R. 515-9-4-.02

AUTHORITY: O.C.G.A. § [46-2-30](#).

HISTORY: Original Rule entitled "Definitions" adopted. F. Dec. 8, 2000; eff. Dec. 28, 2000.

Repealed: New Rule of same title adopted. F. Feb. 5, 2002; eff. Feb. 25, 2002.

Amended: F. May 19, 2006; eff. June 8, 2006.

Amended: F. Dec. 21, 2006; eff. Jan. 10, 2007.

Repealed: New Rule of same title adopted. F. Feb. 10, 2009; eff. Mar. 2, 2009.

Amended: F. Dec. 22, 2023; eff. Jan. 11, 2024.

515-9-4-.05 Notification of Probable Violations of the Act

(1) Any person may report a probable violation of the Act by filing a written or an electronic report in a form as may be designated by the Commission from time to time; provided that all such reports shall be filed electronically whenever and wherever possible, but a written report may be filed by any person lacking computer reporting or communication capability. All written or electronic reports shall include the information requested on an approved Commission form, if available. All probable violations shall be reported to the Commission within thirty (30) days of a person becoming aware of the circumstances constituting the probable violation.

(2) A person shall file such written report directly with the Commission. The Commission shall maintain, or cause to be maintained, a database of all written reports filed with the Commission.

(3) Any person who files a written or electronic report shall conduct an investigation to examine the relevant facts regarding the reported probable violation of the Act. The results of such investigation shall be filed together with the report in accordance with these rules.

(4) Each facility owner or operator whose underground facilities have been damaged as a result of a probable violation of the Act shall conduct an investigation to examine the relevant facts regarding such probable violation, and provide the Commission or its designee with the results of such investigation. The results of such investigation shall be submitted to the Commission on a form designated by the Commission.

Cite as Ga. Comp. R. & Regs. R. 515-9-4-.05

AUTHORITY: O.C.G.A. § [46-2-30](#).

HISTORY: Original Rule entitled "Notification of Probable Violations of the Act" adopted. F. Dec. 8, 2000; eff. Dec. 28, 2000.

Repealed: New Rule of same title adopted. F. Feb. 5, 2002; eff. Feb. 25, 2002.

Amended: F. Dec. 21, 2006; eff. Jan. 10, 2007.

Amended: F. Dec. 22, 2023; eff. Jan. 11, 2024.

515-9-4.11 Civil Penalties

(1) In determining the amount of any civil penalty to be assessed, the Commission may consider the nature, circumstances and gravity of the violation of the Act; the degree of the Respondent's culpability; the Respondent's history of prior violations of the Act; and such other factors as may be appropriate.

(2) A Respondent shall pay any civil penalty that has been assessed by submitting to the Commission, in care of Case Manager, Underground Facility Protection Section, a certified check payable to the Georgia Public Service Commission for ultimate forwarding to the State of Georgia general fund.

Cite as Ga. Comp. R. & Regs. R. 515-9-4-.11

AUTHORITY: O.C.G.A. § [46-2-30](#).

HISTORY: Original Rule entitled "Civil Penalties" adopted. F. Feb. 5, 2002; eff. Feb. 25, 2002.

Amended: F. Dec. 21, 2006; eff. Jan. 10, 2007.

Amended: F. Dec. 22, 2023; eff. Jan. 11, 2024.

515-9-4.11.1 Civil Penalties for Local Governing Authorities (Tiered Penalty Structure)

(1) Definitions:

For the purpose of this rule and the assessment and enforcement of civil penalties under this Chapter 515-9-4 of the Commission's Utility Rules, the following definitions apply:

(a) "Local governing authority" means a county, municipality or local authority created by or pursuant to general, local or special Act of the General Assembly or by the Constitution of the State of Georgia, and any local authority that is created or activated by an appropriate ordinance or resolution of the governing body of a county or municipality individually or jointly with other political subdivisions of this state that provide service that includes

but not limited to road and street construction and maintenance, water supply and distribution, waste-water, sewage, and storm-water collection and disposal.

(b) "Willful noncompliance" means intentional or knowing refusal or failure to perform, or comply with, a duty created or imposed by statute or by this Commission's Utility Rules. "Willful noncompliance" also includes bad faith or a conscious indifference to the consequences of failure to comply with GUFPA or this Commission's rules issued thereunder. A local governing authority's failure to file a timely response to a notice of probable violation of the Act or the Commission's Utility Rules shall constitute a presumption of willful noncompliance by a local governing authority receiving such notice, which presumption may be rebutted by evidence demonstrating that the local governing authority did not receive actual or constructive notice of its alleged violation of the Act.

(c) "Refusal to comply" means that an underground facility owner or operator does not respond in the Positive Response Information System ("PRIS") to a locate request, does not respond to a direct telephone call to locate their facilities, or other such direct refusal. "Refusal to comply" does not mean a case where the volume of requests or some other mitigating circumstance prevents the underground facility owner or operator from locating in accordance with O.C.G.A. § [25-9-7](#). "Refusal to comply" also means a refusal or failure to file a timely response to a notice of probable violation of the Act or of the Commission's Utility Rules; and such refusal or failure shall constitute a presumption of a local governing authority's "willful refusal to comply," which presumption may be rebutted by evidence demonstrating that the local governing authority did not receive actual or constructive notice of its alleged violation of the Act.

(2) Enforcement Procedures for Violations of the Act by Local Governing Authorities.

(a) Notice of Probable Violation and Request for Information. Upon receipt of a complaint or other information concerning a probable violation of the Act by a local governing authority, the Commission Staff shall conduct a preliminary investigation of such complaint or information; and as part of such preliminary investigation, the Commission's investigator may send notice of a probable violation and a request for information to the local governing authority. The authority receiving such notice and request for information shall respond within thirty (30) days to such notice and request. The Commission's request for information may request any or all of the following information:

1. Submission of written explanations, information or other materials in response to the allegations;
2. Information concerning the size, annual budget, and gross receipts of the authority;
3. Where applicable and available, the total number of underground facility connections and types of utilities within the territory of the local governing authority;
4. Total number of locate tickets received annually by the local governing authority;
5. The number of locate codes and calls made annually to the local governing authority from the UPC; and
6. When applicable, the number of customers whose service may have been interrupted as a result of the violations and the duration of such interruption.

Such list is not meant to be exhaustive, and the Commission's investigator may request additional information during his or her investigation. Responses shall be due within thirty (30) days after receipt of such notice and request from the local governing authority, unless such time is extended by the Commission or its investigator pursuant to a written request from the local governing authority before the expiration of such thirty (30) day period.

As noted in Paragraph (1) of this Rule, failure of the alleged violator to respond in a timely manner to the Commission investigator's notice of probable violation(s) and provide to the Commission the information requested shall constitute a presumption of willful noncompliance with the Act or applicable Commission rules on the part of the non-responding recipient of such notice and request, but such presumption may be rebutted by evidence demonstrating that the local governing authority did not receive actual or constructive notice of its alleged violation of the Act.

(b) Proposed Compliance Order. At any time during the investigation, the Commission's investigator may submit a written compliance order to the local governing authority, and the local governing authority may respond during the investigation or proceedings as follows:

1. The authority may agree to the Commission's proposed compliance order, if such proposed order has not been withdrawn by the Commission;
2. The authority may object to the proposed compliance order and submit written explanations, information or other materials in response to the allegations in the notice of probable violation; and the authority can request:
 - (i) review before the GUFPA Advisory Committee; or
 - (ii) an informal conference with the Commission Staff; or
 - (iii) a full evidentiary hearing before the Commission or its duly appointed hearing officer.

(c) Commission Staff Action. After investigation, the Commission's investigator may take appropriate action to enforce the Act and the Commission's rules issued thereunder, including any or all of the following:

1. Recommend no action and terminate the investigation;
2. Recommend that a warning letter be issued to the person alleged to have committed the violation ("the respondent");
3. Enter settlement negotiations with the respondent; and upon reaching agreement on settlement terms, the Commission Staff shall present such proposed settlement agreement to the Commission for its acceptance or rejection;
4. Recommend training be required (in lieu of or in addition to any otherwise recommended civil penalties, or any portion thereof) for violations of the Act;
5. Recommend that the Commission assess civil penalties for violations of the Act in accordance with O.C.G.A. § [25-9-13](#) and in accordance with the tiered penalty structure set forth below in Paragraph (3) of this Rule.

(d) Notices. All notices under the Act from the Commission to any local governing authority shall be sent by certified mail (return receipt requested). A signed delivery receipt or post office return marked refused or unclaimed shall constitute a presumption of notice to and legal service upon the local governing authority to whom it is addressed; however, such presumption may be rebutted by evidence demonstrating that the local governing authority did not receive actual or constructive notice of its alleged violation of the Act.

(3) Tiered Structure to Be Utilized in Assessing Civil Penalties against Local Governing Authorities for Violations of the Act.

(a) Factors To Be Considered. When determining to recommend assessment of a civil penalty, the Commission's investigators shall consider the following factors in applying the tiered penalty structure established in Subparagraph (3) (b) of this Rule:

1. The nature, circumstances and gravity of the violation, (including, but not limited to, adverse impact on the area, the general public and customers);
2. The degree of the respondent's culpability;
3. The respondent's history of prior offenses;
4. The respondent's ability to pay;

5. Any good faith effort by the Authority respondent in attempting to achieve compliance;
6. The effect on the respondent's ability to continue in business;
7. The number of locate tickets and locate call and codes received annually by the local governing authority;
8. The cost of the local government's compliance with the statute or rule violated;
9. The number of customers whose services may have been interrupted by the local governing authority's violation and the duration of such interruption; and
10. The size, annual budget, gross receipts, number of underground facility connections and types of connections and types of utilities within the territory of the local governing authority and whether owned or operated by such authority.

(b) Tiered Penalty Structure. The tiered penalty structure set forth below takes into account many of the above-mentioned factors by focusing on the number of employees employed by the local governing authority, or the number of underground facility, water and sewer connections a local governing authority has, which are functions and indicators of such authority's population, gross revenues, customer base, service area and annual budget. In determining the tier classification for a local governing authority, the Commission's investigators shall look to the number of underground facility, water and sewer connections such local governing authority has in making such determination. In cases where the local governing authority has no connections, the Commission's investigator shall determine the tier by the number of employees employed by such local governing authority in underground facility, road maintenance, water and sewer or public works functions (including contract personnel who perform work for the authority). Along with the considerations delineated in Subparagraph (a) of this Subsection (3), such tier classifications shall be made as follows:

Tiered Penalty Structure:

1. Tier One

Authorities that have 25,000 or less total underground facility, water and sewer connections or that employ 1 through 25 people in underground facility, road maintenance, water, sewer or public works functions (including contractor personnel), may be assessed a penalty of up to \$500 per violation for the first three and up to \$1,000 per violation thereafter not to exceed \$10,000 total per rolling 12-month period.

2. Tier Two

Authorities that have more than 25,000 but less than 50,000 total underground facility, water and sewer connections or that employ 26 through 50 people in underground facility, road maintenance, water, sewer or public works functions (including contractor personnel), may be assessed a penalty of up to \$750 per violation for the first three and up to \$1,250 per violation thereafter not to exceed \$20,000 total per rolling 12-month period.

3. Tier Three

Authorities that have 50,000 or more, but less than 100,000 total underground facility, water and sewer connections, or that employ 51 through 75 people in underground facility, road maintenance, water, sewer or public works functions (including contractor personnel), may be assessed a penalty of up to \$1,000 per violation for the first three and up to \$1,500 per violation thereafter not to exceed \$30,000 total per rolling 12-month period.

4. Tier Four

Authorities that have 100,000 or more, but less than 200,000 total underground facility, water and sewer connections or that employ 76 through 100 people in underground facility, road maintenance, water, sewer or public works

functions (including contractor personnel), may be assessed a penalty of up to \$1,500 per violation for the first three and up to \$2,500 per violation thereafter not to exceed \$40,000 total per rolling 12-month period.

5. Tier Five

Authorities that have 200,000 or more total underground facility, water and sewer connections or that employs 101 or more people in underground facility, road maintenance, water, sewer or public works functions (including contractor personnel), may be assessed a penalty of up to \$2,000 per violation for the first three and up to \$5,000 per violation thereafter not to exceed \$50,000 total per rolling 12-month period.

The tiered penalty structure shall be established as a maximum. No minimum penalty is specified.

(4) Commission Discretion in Assessing Civil Penalties against Local Governing Authorities.

Nothing set forth elsewhere in this Rule shall require the Commission or its investigators to assess civil penalties against a local governing authority for violations of the Act or the Commission's Utility Rules. Under each penalty tier, the investigator may recommend training. If the investigator finds that a probable violation has occurred, the investigator may recommend training in lieu of all or any portion of any otherwise recommended civil penalties for any local governing authority's violation. The investigator shall provide suggestions for corrective action to any person requesting such assistance on behalf of a local governing authority. Upon determination after investigation, the Commission's investigator may, subject to Commission review and approval, make recommended offers of settlement to the respondent or make recommended findings for assessment of civil penalties or other corrective action, subject to respondent's right to hearing thereon before the Advisory Committee and/or the Commission.

Cite as Ga. Comp. R. & Regs. R. 515-9-4-.11.1

AUTHORITY: O.C.G.A. § [46-2-30](#).

HISTORY: Original Rule entitled "Civil Penalties for Local Governing Authorities (Tiered Penalty Structure)" adopted. F. Mar. 29, 2006; eff. Apr. 18, 2006.

Amended: F. Dec. 21, 2006; eff. Jan. 10, 2007.

Amended: F. Dec. 22, 2023; eff. Jan. 11, 2024.

515-9-4.13 Procedures for Large Projects

(1) Purpose and Scope:

(a) The purpose of this rule is to set forth procedures that provide for the waiver in writing, of the 48-hour notice and the 21-calendar day expiration for any projects that cannot be located pursuant to O.C.G.A. § [25-9-7](#). This Rule is necessary in order to allow proper planning and scheduling of the locating of underground facilities within the geographical area of a designated "Large Project." Because most large projects require multiple re-stakes, it has proven difficult and cumbersome for facility owner/operators to respond to locate requests within the 48-hour notice time frame normally required by the Georgia Underground Facility Protection Act ("GUFPA"). Excavators on such large projects lasting for months and even years have similarly found it cumbersome and oppressive to have a locate ticket expire after 21 calendar days and have to reapply for renewal or refreshing of such locate ticket repeatedly over the life of a large project.

(b) This Rule allows for parameters to be set for all parties involved in a large project so that such parties may enjoy more flexibility and less rigidity in reporting without any loss or sacrifice in the record-keeping, locating of underground facilities, prevention of damage to such facilities, and public safety protections which GUFPA was designed and intended to implement.

(c) Unless hereinafter specifically excepted, all other provisions of O.C.G.A. § [25-9-1](#) et seq., shall apply to large projects.

(2) Procedures:

(a) Upon an excavator's contacting the Utilities Protection Center (UPC) to procure a locate ticket and upon the UPC's concluding that the proposed excavation qualifies as a large project ticket under Commission Utility Rule [515-9-4-.02\(j\)](#) (through the process of handling such request(s) for one or more locates), the UPC shall provide instructions for excavator(s) that the involved excavation project shall be treated as a large project under Commission rules and that the excavator has a duty to submit to the UPC a Large Project Planning Meeting Notification.

(b) Upon the UPCs concluding that a particular locate request or requests qualify as a Large Project as defined by Commission Rule [515-9-4-.02\(j\)](#), a mandatory Large Project Planning Meeting Notification shall be issued by the excavator, no less than 10 business days prior to beginning excavation or blasting activities, to the UPC, for immediate forwarding to all facility owner/operators having facilities in the area. Such notification shall include the excavator's suggested date, time, location, and contact person for the proposed meeting. The date of the mandatory meeting shall be a minimum of 48 hours after the notification is submitted to the UPC, starting at 7:00 a.m. the next business day and excluding non-business days. This mandatory large project meeting notification requirement shall not apply to re-activated large projects that have continued in full force and effect, and without deactivation. Notwithstanding the above, nothing in this rule shall prevent the excavator and the underground facility owner/operators from choosing to meet otherwise.

(c) After receiving the Large Project request, the UPC shall notify all affected facility owners or operators of the mandatory Large Project Planning Meeting. The mandatory Large Project Planning Meeting shall be scheduled no less than 5 business days prior to beginning excavation or blasting activities. Each facility owner/operator shall provide an automated response to the UPC indicating agreement to the date and time of the mandatory Large Project Planning Meeting within 2 business days of such notice, through the use of the Positive Response Information System (PRIS).

(d) All provisions of this "Large Project" rule shall apply to the underground facility owner/operator and all locates shall be conducted pursuant to these rules and the negotiated marking agreement arising here from.

(e) No later than two business days following the mandatory Large Project Planning Meeting, whichever comes first, the UPC shall update the status of the ticket from a "Large Project Planning Meeting Notification" to a "Large Project Excavation Notification." At that point, the "Large Project Excavation Notification" will become an active ticket and will be transmitted by the UPC to all affected underground facility owner/operators.

(f) During the life of the large project ticket, all requests for locates and notices of marking performed that deviate from the marking agreement shall be documented through the UPC. Once all excavation activities have been completed by a particular excavator, such excavator will notify the UPC to close or de-activate the notification.

(g) Unless renewed beforehand by the excavator, all Large Project Excavation Notifications will be automatically closed/de-activated once ninety (90) days have elapsed from the date of activation. The excavator may re-new the notification as necessary so long as excavation on the project continues. The notification will be automatically closed/de-activated ninety (90) days following the most recent renewal.

(3) The excavator and facility owner(s)/operator(s) or LOCATOR(S)/UTILITY(S) shall enter into a negotiated written agreement setting out the schedule for marking the project (see attached example form) at the Large Project planning meeting. Steps shall be taken to work together, including the Large Project Planning Meeting, so that a negotiated marking plan may be agreed upon allowing the facility owner(s)/operator(s) to locate the underground facilities at a time reasonably in advance of the actual start of excavation or blasting for each phase of the work. A working relationship shall be established between the excavator and the facility owner/operator representatives to reduce confusion at the work site. Emergency phone numbers and contact people shall be identified for notification of problems, delays or changes in the marking plan. In addition to the Large Project Planning Meeting, the excavator shall conduct periodic underground facility coordination meetings to enhance the communication and progress of the planned schedule and markings. IF FOR ANY REASON A FACILITY OWNER/OPERATOR CANNOT ATTEND SUCH MEETING, THE FACILITY OWNER/OPERATOR'S REPRESENTATIVE MAY CONTACT

THE EXCAVATOR AND MAKE OTHER ARRANGEMENTS IF THE EXCAVATOR IS AGREEABLE, OR HAVE THE LINES MARKED WITHIN THE 48 HOURS REQUIRED BY LAW (O.C.G.A. § [25-9-1](#) ET SEQ.).

(4) The terms and conditions of such negotiated marking agreement must be in writing, and executed by the excavator and the facility owner/operator or locate representative (i.e., contract LOCATOR/UTILITY for the facility owner/operator) before excavation commences. If the LOCATOR/UTILITY is going to execute the negotiated marking agreement on behalf of the facility owner/operator, the facility owner/operator shall have on file with the UPC, written documentation of such grant of authority from the facility owner/operator to the LOCATOR/UTILITY. Such negotiated marking agreement and compliance with the terms thereof, shall constitute an exemption from the requirements of subsections O.C.G.A. §§ [25-9-7\(a\)\(1\),\(b\)\(1\),\(c\),\(e\) and \(k\)\(1\)](#) and subsections O.C.G.A. §§ [25-9-6\(c\),\(e\) and \(h\)](#). The excavator and facility owner/operator shall each retain a copy of the executed marking agreement.

(5) If the facility owner/operator fails to respond to the excavator's terms of the negotiated marking agreement or the facility owner/operator notifies the excavator that the facilities cannot be marked within the time frame delineated within the negotiated marking agreement and a mutually agreeable date for marking cannot be reached, the excavator may attempt to locate the facilities in accordance with subsection O.C.G.A. § [25-9-7\(f\)](#), then proceed with excavation or blasting provided reasonable care is exercised. At the option of the excavator and as an alternative to the excavator's attempting to locate the facilities at issue, such facilities shall revert back to the locate time frame mandated by O.C.G.A. § [25-9-7](#).

(6) Failure of any party to abide by the terms of the negotiated marking agreement shall be a violation of the Commission's Large Project Rule delineated herein. Any such violation shall be grounds for and may result in sanctions including but not limited to civil and/or criminal penalties being imposed upon the violating party in accordance with Georgia Law. Moreover, where an excavator fails to abide by the terms of the negotiated marking agreement and causes damage to an underground facility as a result, the excavator may be subject to penalties delineated in O.C.G.A. § [25-9-13\(7\)](#).

(7) Good Faith Negotiation Required. The failure of any party to negotiate in good faith shall constitute a violation of the Commission's Large Project Rules and may result in the imposition of penalties under O.C.G.A. §§ [25-9-13](#) and /or 46-2-91 as well as any other penalties that may be imposed pursuant to Georgia Law or the Commission's Rules. The failure of any party to negotiate in good faith shall also result in all locates being performed in accordance with the procedures and timelines set forth in O.C.G.A. § [25-9-1](#) et. seq. with the cost for all such locates to be paid for by the party having negotiated in bad faith.

(8) Any person holding an active large project ticket may allow any dually authorized subcontractors to work under such large project ticket provided the provisions of O.C.G.A. § [25-9-6\(g\)](#) are met. For purposes of this rule, any contractual agreement entered into pursuant to O.C.G.A. § [25-9-6\(g\)](#) shall be in writing.

(9) Nothing in this Rule exempts any facility owner/operator, excavator, LOCATOR/UTILITY or any other person from the duty he or she would otherwise have under GUFPA or the Commission's Utility Rules to report damages to underground facilities.

SAMPLE SAMPLE

Large Project - Sample Underground Facility Locating Agreement

THIS AGREEMENT, made this _____ (month/date/year), by and between _____, hereinafter called the EXCAVATOR, and _____, hereinafter called the LOCATOR/UTILITY: Due to the construction of this large project, it will become necessary to make certain arrangements for the locating of the underground facilities in accordance with the Georgia Public Service Commission's Rule 515-9-4.

This Agreement is for the sole purpose of each party working together to minimize or eliminate any damages to underground facilities as well as allow the EXCAVATOR to pursue the work more expeditiously.

In consideration of the premises and the mutual covenants of the parties hereinafter set forth, it is agreed:

1. The LOCATOR/UTILITY shall provide the EXCAVATOR with correct contact information, including but not limited to, business address, business phone numbers, business facsimile numbers and any available pager or cellular numbers for all available locate technicians/representatives and their supervisors for this project at the time of executing this Agreement.
2. Attached and made part of this agreement is the negotiated marking plan, which is prepared by the EXCAVATOR. Any modifications or changes to the negotiated marking plan shall be reviewed and agreed to by both parties.
3. It is specifically understood that the EXCAVATOR will notify the LOCATOR/UTILITY by telephone, electronic mail or other means as provided by the LOCATOR/UTILITY prior to commencing any excavation activities to ensure the specific work sites have been marked.
4. If EXCAVATOR needs to move to a project work site involving excavation that has not been marked by the LOCATOR/UTILITY or the LOCATOR/UTILITY has not confirmed the accuracy of the existing marks at such site, the EXCAVATOR shall make contact with the LOCATOR/UTILITY and allow time to respond.
5. The LOCATOR/UTILITY shall be available within 24 hours and shall respond within such time frame in order for the work site to be marked or confirm the accuracy of the existing marks.
6. If for any reason, the negotiated marking agreement is terminated, the Large Project Procedures under the Georgia Public Service Commission's Rule 515-9-4 are hereby waived and the provisions of the Official Code of Georgia, Annotated Section [25-9-1](#) et. seq. shall continue in full force and effect.

LOCATOR/UTILITY Name (print): _____

LOCATOR/UTILITY Signature: _____

EXCAVATOR Name (print): _____

EXCAVATOR Signature: _____

Date: _____

(insert date on page one of the agreement)

SAMPLE SAMPLE

Cite as Ga. Comp. R. & Regs. R. 515-9-4-.13

AUTHORITY: O.C.G.A. § [46-2-30](#).

HISTORY: Original Rule entitled "Procedures for Large Projects" adopted. F. May 19, 2006; eff. June 8, 2006.

Amended: F. Dec. 21, 2006; eff. Jan. 10, 2007.

Repealed: New Rule of same title adopted. F. Feb. 10, 2009; eff. Mar. 2, 2009.

Amended: F. Dec. 22, 2023; eff. Jan. 11, 2024.

515-9-4-.14 Georgia Underground Marking Standards

(1) White Lining.

(a) **Scope.** This Rule shall have statewide application; provided, however, that any municipal or county governing authority in this State may adopt, by resolution or ordinance, more stringent requirements relating to white lining, but no local governing authority may adopt less stringent marking standards requirements.

(b) **Purpose.** The purpose of white lining the area to be located is to allow everyone involved with the dig site to know the exact location of the proposed excavation. White lining the excavation site is an excellent way to assist the underground facilities or underground facility locators in marking lines in the work area right the first time and in less time. This technique eliminates speculation by the locator about where the excavation will take place and will often enable the underground facility or its agent to locate faster and more accurately. In short, pre-marking the area and the extent of the intended excavation can reduce delays and the time it takes to conduct the locate.

(c) **Background.** White lining is a practice that has been widely used in the United States where the National Transportation Board concluded that pre-marking is a practice that helps prevent excavation damage. The procedure simply involves an excavator using white paint to indicate the route or area that is going to be excavated, such that the locator then knows exactly how much marking is required and where. White lining reduces confusion about what underground facilities need to be marked or not marked.

(d) **Directive to UPC.** Pursuant to O.C.G.A. §§ [25-9-4\(a\)\(1\)](#), [25-9-6\(a\)\(1\)](#) and (b), [25-9-7\(a\)\(2\)](#), and [25-9-13\(f\)](#) and pursuant to Commission Utility Rule [515-9-6-.01](#), the Utilities Protection Center, Inc. ("UPC" or "One-Call Center") is hereby directed to establish policies and procedures which identify when white lining is required. Examples of areas to be white lined are smaller (involving only a portion of a particular address) or linear excavations such as telecommunication drops and lines, service lines (such as for water, gas, electricity and sewer), utility pits, cuts and repairs, curb repairs, bore holes, directional boring pathways, pole and signage placements, etc. Such examples are merely explanatory of the type of excavation where white lining is appropriate and are not meant to be exclusive.

(e) **Exceptions to White Lining.** Unless otherwise required by applicable municipal or county ordinance, white lining will not be required in the following situations:

1. Any large project so designated in accordance with GPSC Rule [515-9-4-.13](#);
2. Any jobsite that can be described with such particularity as required by O.C.G.A. [25-9-6\(b\)](#); and
3. "Emergencies" and "extraordinary circumstances" as such terms are defined in O.C.G.A. § [25-9-3\(10\)](#) and O.C.G.A. § [25-9-3\(14\)](#), respectively, are [pursuant to O.C.G.A. § [25-9-12](#)] statutory exceptions to O.C.G.A. § [25-9-6\(a\)](#) requirement for obtaining a locate ticket prior to commencing mechanized excavation and, hence, also exceptions to the requirement for white lining under this Rule. However, if a particular emergency notification is later determined not to have been an emergency or an extraordinary circumstance, then the excavator's failure to procure a locate ticket before excavating will be treated as a violation of O.C.G.A. § [25-9-6](#) and of this Rule as per O.C.G.A. § [25-9-12](#). Also, pre-excavation emergency locate ticket requests (that is, a requests for a locate ticket on an expedited basis sooner than the prescribed statutory time limit) will not be an exception to white lining as required in this Rule.

(f) **White Lining Symbols as Directions to Locator.** White lining proposed dig sites that will follow a single path or trench shall be marked using white lines and/or arrows and shall be located for twenty (20) feet on either side of the white line and for twenty (20) feet outward beyond the designate "START" and "END" of such linear white line. Therefore, it is important to identify the starting & ending points.



(g) **Identification of White Lining Excavator.** In order to enable the locating underground facility or its locators to quickly identify the requested locate at the job site and expedite the locating process, each excavator when white lining shall identify himself or itself by labeling the white line area with the excavator's name or the applicable locate ticket number or both.

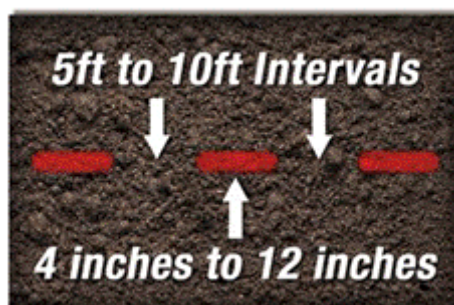
(2) Facility Marking by or for Utilities.

(a) “No conflict” with the excavation should only be communicated by facility owners through the Positive Response Information System (PRIS). No marks or messages with paint or stakes should be left at the proposed excavation if there is no conflict.

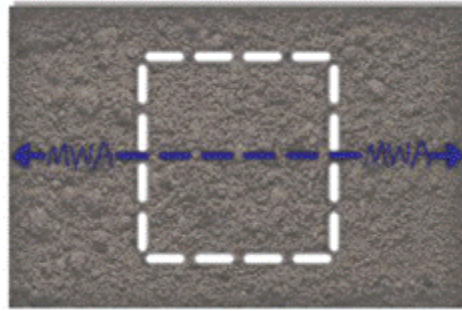
(b) **Underground Facility Markings.** Facility owners or their locate contractors shall indicate underground facilities by placing their UPC alpha code, along with the type material (if known) that the facility consists of, at the beginning and end of locates. Also, arrows should be placed at the ends of markings to indicate that the underground facility continues. In accomplishing the locate task, the line locator shall use industry-approved and generally accepted methods of locating.

1. To avoid confusion on long runs, the marks shall be frequent enough to identify the owner.

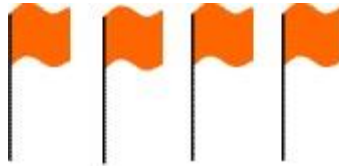
2. Location marks shall be 4 to 12 inches in length and at intervals of 5 to 10 feet.



3. The line locator (person marking the lines) shall extend marks outside the proposed work area by 25 feet if those facilities extend outside the proposed excavation area.



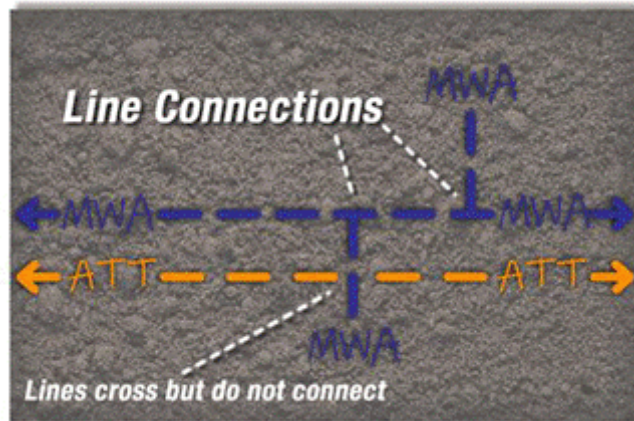
4. In environmental conditions such as but not limited to, rain, snow, wet or marshy areas and or temporary surface conditions, flags will be used in addition to paint markings. Flags and/or stakes cannot be used as a substitution to paint markings and offsets. It will be the facility owner's decision to use flags and or stakes in addition to paint markings.



5. Dead ends, stub-outs, termination points, etc., shall be marked as follows:



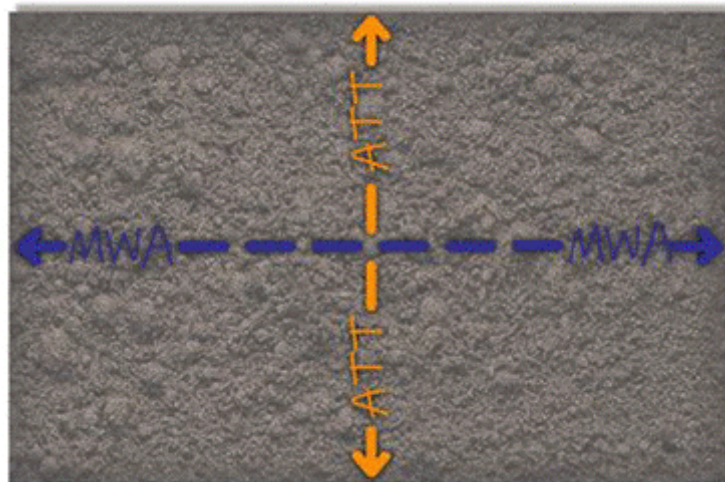
6. Lines that have connections (e.g., T's or Y's) or changes in directions shall be clearly indicated. Marks indicating lines or connections shall clearly show the intersection and path of the line or connection. Marks that show changes in direction shall be placed closer together for more clarity and accuracy.



7. Manholes and valves shall be identified by using a circle and letters if they are not visible (dirt covering valve boxes or pavement covering manhole cover).



8. Facilities that cross but do not intersect shall be marked as described to indicate such installation manner.



9. Unlocatable sewer laterals, installed prior to 2006, shall be marked by placing a green triangle on the sewer main and, if the location of the tap for such unlocatable sewer lateral is known, by placing a green "T" or "Y" or other appropriate symbol at the tap pointing generally toward the address served by such unlocatable sewer lateral.

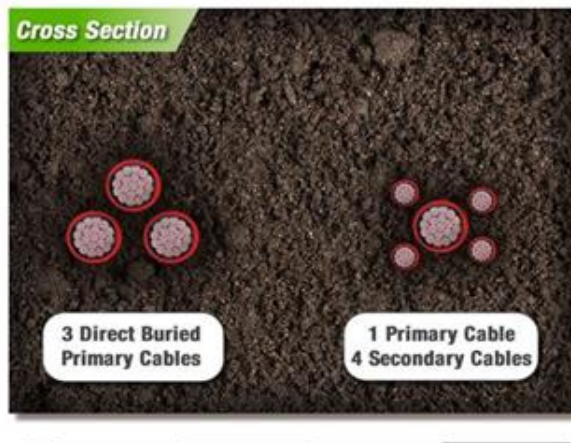


10. Single facilities, including direct buried facilities, should be marked by placing marks over the approximate center of the facility.

11. One or multiple facilities housed in a single conduit should be marked with one single mark per conduit.

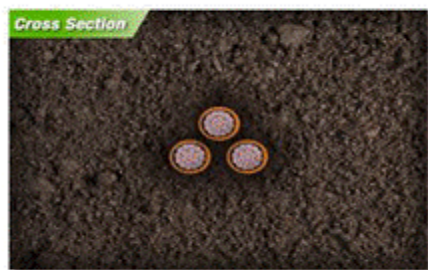
12. If the facility to be marked has a diameter greater than 12", the size of the facility shall be indicated if known.

13. Multiple direct buried electric facilities where the separation does not allow for a separate tone for each facility, but the number of the facilities is known should be marked by corridor marks not to exceed 24 inches. The marks shall indicate the number of facilities in the corridor.

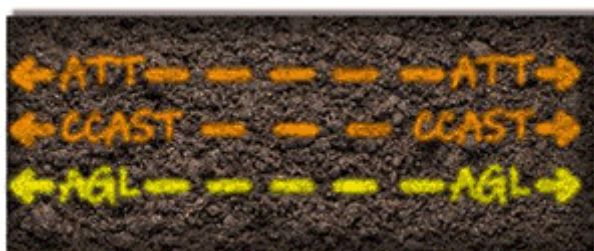


14. Multiple facilities of the same type other than electric that are bundled and intertwined in the same trench shall be marked over the approximate center of the facilities. The marks shall indicate the number of facilities in the corridor.

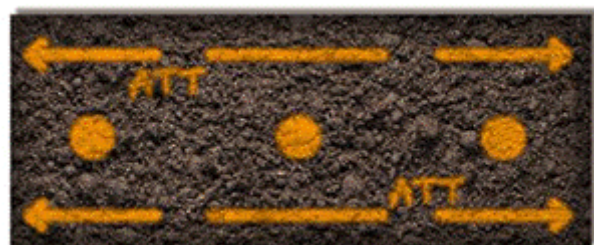
Multiple facilities of the same type intertwined in the same trench.



15. When facilities share the same trench, they shall be heavily identified and separated enough so that they can be readily identified. This would apply to lines that share the same color code. For example, cable television & telephone lines:



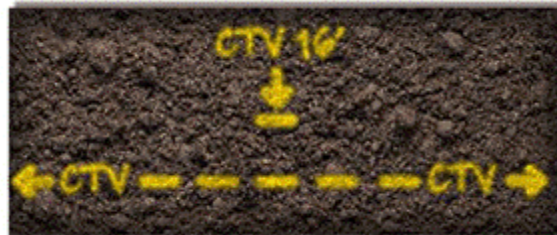
16. Duct structures are multiple conduits stacked or side by side, installed at the same time, in a singular trench or bore path, that may or may not be encased with a protective structure. These facilities shall be marked by using a dot with parallel boundary on each side of the dot.



Duct structures marked in excess of 36 inches in total will require the underground facility notify the excavator and identify the size of the marked.

Any duct structure marked in excess of its actual size will be considered overmarked and will be considered a probable violation of the Marking Standards.

17. In areas where there is a strong likelihood that any or all marker types showing line location would be destroyed, offsets shall be placed on a permanent surface. However, offsets should be used only in conjunction with marks placed above a facility. Offset spacing should be every third or fourth mark. For example, the following mark would indicate the line is 16 feet from the end of the arrow.



18. In areas where cables are spliced, the facilities should be located individually as far as possible on both sides of the splice. When the signal is distorted due to the near proximity to the splice a circle with "SP" should indicate the area of distortion or "splice pit".



19. The tolerance zone as defined in O.C.G.A. [25-9-3 \(34\)](#) is measured from the edge of the facility and is not based on the location of the marks.

20. Traffic Control and Traffic Management Devices will be marked orange for the communication facilities and red for the electric facilities. To clearly distinguish these devices from other communication and electric facilities, facility owners or their locate contractors shall indicate these facilities by placing their UPC alpha code, and a dash followed by "TC" for Traffic Control Devices and "TM" for Traffic Management Devices.

When electric and communication are bundled and intertwined in the same conduit, it shall be marked over the approximate center of the facility using red paint with the UPC alpha code and a dash followed by "TC" for Traffic Control Devices and/or "TM" for Traffic Management Devices.

Cite as Ga. Comp. R. & Regs. R. 515-9-4-.14

AUTHORITY: O.C.G.A. § [46-2-30](#).

HISTORY: Original Rule entitled "Georgia Underground Marking Standards" adopted. F. Oct. 3, 2007; eff. Oct. 23, 2007.

Amended: F. Dec. 22, 2023; eff. Jan. 11, 2024.