

505-2-.39 CERTIFICATION APPEAL

Nature of Amendment(s):

Substantive
 Clarification
 Further Definition

Discussion:

It is proposed that GaPSC Rule 505-2-.32 APPEALS, dated July 1, 2014, be AMENDED to clarify that the effective date of a certificate update based on an approved appeal request will be will be the date the appeal committee met and the decision was made.

Current/Amended Sections(s):

(Additions are underlined in bold type; deletions are marked through.)

(1) Purpose. This rule creates a formalized system of tiered reviews that allows educators to appeal certification decisions resulting from a staff analysis of educator application packets. The decision at each tier is based solely on review of an educator's written appeal. There are two (2) tiers of appeal, which include:

(a) Tier 1. A review by the staff Certification Appeals Committee with a written decision by the Executive Secretary of the Georgia Professional Standards Commission (GaPSC); and

(b) Tier 2. A review by the Educator Preparation Standing Committee which then makes a recommendation to the full Commission with a written decision by the Chair of the GaPSC.

(2) Appeal Procedures.

(a) The educator must begin the appeal process at the first tier and that must be completed before requesting a second tier appeal.

(b) To initiate the process, appeals must be in writing, sent by U.S. Mail, FedEx, UPS or another mail carrier, and received by the Executive Secretary of the GaPSC within sixty (60) calendar days of the date of the GaPSC notification letter or certificate issuance. Appeals will not be received by phone, by e-mail or delivered in person. The failure of an educator to request an appeal within the sixty (60) calendar days is considered as a waiver of the right to appeal. Educators are responsible for tracking the delivery of their appeal to the GaPSC.

(c) The written appeal is to be sent to the Georgia Professional Standards Commission, ATTN: Executive Secretary, and shall contain the following information:

1. Educator's name (as listed on the certificate application form), certificate identification number, mailing address, e-mail address and telephone number;

2. The tier being requested (Tier 1 or Tier 2; the process must begin at Tier 1);

3. A concise statement describing the nature of the appeal and why it should be granted; and

4. Any supporting documentation that might constitute evidence that supports the appeal including transcripts, physician statements, etc.

(d) When a Tier 1 or Tier 2 appeal is received, staff will send the educator by e-mail a copy of guidelines that staff follow in processing Tier 1 and Tier 2 appeals.

(e) After a decision to grant or deny an appeal has been made by the Certification Appeals Committee, the appellant will receive written correspondence detailing the decision.

(f) The effective date of the certificate update based on an approved appeal will be the date the Certification Appeals Committee met and determined to honor the appeal request.

Authority O.C.G.A. 20-2-200