

Rule 375-5-6-.09 Program Instructor Application, Certification, and Recertification Requirements

(1) **Certification required.** No person may instruct in a Program without first being certified by the Department.

(2) **Application for Instructor Certification.**

- (a) All applications for ~~Program~~ Instructor Certification shall be submitted on forms prepared by the Department, following a procedure prescribed by the Department.
- (b) ~~The a~~ Instructor applications for ~~Program Instructor~~ shall include all information and fees; and shall be truthful, accurate, and complete.

~~C All applicants must undergo a national and state fingerprint-based criminal background check utilizing a method prescribed by the Department.~~

- (c) ~~All a~~ Applicants must undergo a national and state fingerprint-based criminal background check utilizing a method prescribed by the Department.
- (~~d~~e) ~~Instructor Applicants~~ applicants for ~~Program Instructor~~ shall submit to the Department the following materials, in addition to the completed ~~Program~~ Instructor application:
 - ~~1.(i)~~ A notarized Consent for Background Investigation Form;
 - ~~2.(ii)~~ An official transcript from an accredited college/university or a copy of the applicant's degree, or high school diploma or GED, whichever is applicable;
~~Appropriate documentation of at least two years of relevant work experience submitted on company (employer) letterhead;~~
 - ~~3.~~ Copies of official transcripts or a copy of a diploma from an accredited college or university, if applicable;
 - ~~4.~~ A copy of his or her high school diploma or GED, if applicable;
 - ~~5.~~ A notarized confidentiality statement certifying that he or she will hold the identity of Students and Program records confidential;
 - ~~(iii)3.6.5.~~ Proof of successfully completing the Department-designated Program Instructor training course. The Department-designated curriculum provider will set a fee to cover the cost of the course, which shall be paid by the Applicant or the Program to which he or she is applying. Requirements for successful completion include passing a written examination with a score of at least 80 out of 100; and making a satisfactory oral presentation during the training course to demonstrate ability to teach the course.
- (~~d~~e) The Department may require any Applicant for Instructor Certification to submit additional information or verification that is reasonably related to making a determination for Certification.
- (f)e) ~~Upon After approval receipt of a fully completed application evidencing that the~~ Applicant meets the qualifications set forth in Ga. Admin. Comp. Ch. 375-5-6-.06, and upon verification that the Applicant has successfully completed the Program Instructor training course, the Department shall certify the Applicant as a Program Instructor.

- (3) **Temporary Instructor Certification.** The Department may issue a temporary Program Instructor Certification pending completion of the background investigation, provided all other Program Instructor Certification requirements have been met. Said temporary Certification shall expire on the ninety-first day following issuance, unless the application is denied, in which case the temporary Certification shall be deemed to have been cancelled by operation of law. Temporary Program Instructor Certifications may be renewed at the discretion of the Department.

(34) **Recertification requirements.**

- (a) An ~~Program~~ Instructor shall remain certified for a period of ~~up to four (4) years~~; provided, however, that he or she remains in compliance with Program Requirements. ~~However, the Certification of any Program Instructor who fails to begin instructing within six (6) months of Certification may be cancelled.~~
- (b) Applications for ~~Program~~ Instructor recertification shall be submitted to the Department no more than ~~90~~ 60 days, and no less than 30 days, prior to the expiration date of the existing Certification. In order to be recertified, a Program Instructor shall provide proof to the Department that he or she has instructed at least four ~~(4)~~ classes during his or her four ~~(4)~~ year period of Certification.

Continuing education. Each Program Instructor shall complete a minimum of ~~thirty-two (32)~~ hours of continuing education in alcohol and drug training or group facilitation training sponsored or approved by the Department every four ~~(4)~~ years. A minimum of ~~sixteen (16)~~ hours shall be in Department-designated refresher courses specific to Program components. Each Program Instructor shall complete a minimum of ~~sixteen (16)~~ of the required ~~thirty-two (32)~~ hours of continuing education training biannually and provide proof thereof to the Department on a biannual basis.

- (c) No ~~Program~~ Instructor whose Certification has expired shall instruct until a completed recertification application has been submitted to and approved by the Department. If the ~~Program~~ Instructor Certification has expired and has remained expired for a period of more than one ~~(1)~~ year, a new application is required and the Certification process, as outlined by 375-5-6-.06, shall be followed.
- (d) The Department may require any ~~Program~~ Instructor applying for recertification to submit additional information or verification that is reasonably related to making a determination of recertification.

- (5) **~~Validity of Certification.~~** All Program Instructor Certifications issued pursuant to the laws and regulations are valid only so long as the Program Instructor is actively engaged in instructing the Intervention Component. ~~In the event the Program Instructor ceases to be actively engaged as a Program Instructor, the Program Instructor shall immediately notify the Department and return his or her Program his or her Instructor Certification to the Department. A Program Instructor ceases to be actively engaged in Program instruction when he or she fails to conduct a class for a period of one (1) year.~~

- (46) If, within ~~ninety (90) days~~ six (6) months of the time that a person applies for issuance or renewal of his or her certification as an instructor, he or she has undergone a background investigation for issuance or renewal of his or her certification for another program regulated by the Department, he or she shall not be required to submit new fingerprints, and the Department shall utilize the criminal history information obtained from that investigation in considering the person's eligibility for issuance or renewal of his or her certification as an instructor.

~~(7) The Department may deny or reject any application if it is determined that the applicant has violated any provision of this chapter.~~

~~(57) The Department may deny or reject any application if it is determined that the applicant has violated any provision of this chapter.~~

~~(68) Presenting false material information on an application shall preclude any individual, partnership, or corporation from obtaining a license and, if discovered after the issuance of the license, shall be grounds for cancellation or revocation of that license.~~

Authority: O.C.G.A. Sees-~~§§~~ 40-5-82, 40-5-83.

SYNOPSIS

STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE

The purpose of this amendment is to update the DUI Alcohol or Drug Use Risk Reduction Program rules.

DIFFERENCE BETWEEN EXISTING AND PROPOSED RULES

In the updated subsection (2)(d)(iii), the last sentence is removed because the testing is completed by PRI during training and PRI will provide certificate when the applicant successfully completes it. Subsection (3) is removed. In the new subsection (3)(b) 90 days is changed to 60 days to be consistent with the other program rules and statute. Validity of Certification subsection is removed. In the new subsection (4), six months is changed to 90 days to align with other agencies. The new subsection (6) is added to give DDS grounds to proceed with legal action.