

375-5-6-.05-~~Qualifications of Program Directors~~

- (1) **Initial qualifications.** To be certified by the Department, each Applicant for Program Director shall meet the following initial qualifications:
- (a) **Clear criminal record.** Each Applicant for Program Director shall be subject to a fingerprint-based check of his or her criminal history, as designated by the Department. No person with a conviction of a felony or any other crime involving violence or a crime of moral turpitude or a pattern of misdemeanors that evidences a disregard for the law, shall be certified by the Department as a Program Director, unless he or she has received a pardon and can produce evidence of same. For the purposes of this chapter, a plea of *nolo contendere* and "first offender" sentences imposed pursuant to O.C.G.A. § 42-8-60, *et seq.*, shall be considered a conviction. For the purposes of this chapter, a conviction for which a person has been free from custody and free from supervision for at least ten (10) years shall not be considered, unless the conviction is for an offense which is a dangerous sexual offense, as defined in O.C.G.A. § 42-1-12, or the criminal offense was committed against a victim who was a minor at the time of the offense, which offense shall result in the applicant's permanent disqualification from eligibility.
 - (b) **Safe driving record.** Each Applicant for Program Director shall possess a valid driver's license from the state of his or her legal residence, unless he or she has a medical condition that makes him or her ineligible for a driver's license. Each Applicant for Program Director shall be subject to a check of his or her driving history. No Person whose driver's license or privilege to drive has been suspended or revoked as the result of any conviction or combination of convictions during the five (5) year period of immediately preceding application for Certification shall be certified by the Department as a Program Director.
 - (c) **Academic and work experience.** Applicants for Program Director must be qualified by having the following academic and/or work experience requirements:
 1. An undergraduate or graduate degree in education, the social sciences, counseling, law, business or related field; or
 2. A high school diploma or GED, and at least two years of relevant paid work experience consisting of 20 or more hours per week. The relevance of work experience will be determined by the Department; and may include, but not necessarily be limited to, teaching of adolescents or adults, alcohol and drug prevention and intervention education, substance abuse counseling, or operation or management of a service oriented business.
 - (d) **Completion of Program Director training course.** Applicants for Program Director shall successfully complete a training course conducted by the Department. The Department may set a fee to cover the cost of the course, which shall be paid by the Applicant or the Program for which he or she is applying to be a Program Director.

- (e) ~~**Completion of Risk Reduction Program.**~~ Applicants for Program Director shall observe the 20-hour Intervention Component of the Risk Reduction Program and provide proof thereof to the Department.
 - (f) ~~**Freedom from substance abuse and illicit drug use.**~~ Each Applicant for Program Director shall certify to the Department that he or she refrains from, and will continue to refrain from, abusing alcoholic beverages or controlled substances and from using illicit drugs.
 - (g) ~~**Age.**~~ Each Applicant for Program Director shall be at least twenty one (21) years of age.
- (2) ~~**Ongoing qualifications.**~~ Each Program Director shall possess the following qualifications, as applicable, on an ongoing basis:
- (a) ~~**Continued clear criminal record.**~~ Each Program Director shall maintain a criminal record free of felony or misdemeanor convictions or pleas. In addition, each Director certified by the Department shall notify the Department if he or she pleads guilty or *nolo contendere* to, or is convicted of, any felony or misdemeanor within five (5) business days immediately following such event. Further, each Program Director certified by the Department shall, within 5 business days immediately thereafter, report to the Department any arrests, which, if convicted thereof, would have excluded him or her from becoming initially certified as a Program Director pursuant to 375-5-6-.05(1)(a). The Department may suspend, revoke, or cancel any Program Director Certification upon receipt of notice of a conviction or arrest.
 - (b) ~~**Continued safe driving record.**~~ Each Program Director shall continue to maintain a safe driving record during his or her period of Certification by the Department. Each Program Director shall continue to possess a valid driver's license from the state of his or her legal residence, unless he or she has a medical condition that makes him or her ineligible for a driver's license. Each Program Director shall notify the Department, within five (5) business days immediately thereafter, if his or her driver's license or privilege to drive is cancelled, suspended, or revoked in any jurisdiction, including the State of Georgia, for any reason. The Department may suspend, revoke, or cancel any Program Director's Certification upon receipt of such notice.
 - (c) ~~**Continuing education.**~~ Each Program Director shall successfully complete sixteen (16) hours of continuing education courses relevant to Program administration every four (4) years. A minimum of eight (8) hours shall be in Department designated courses related to Program administration or Program components. Each Program Director shall complete a minimum of eight (8) hours of the required sixteen (16) hours of continuing education training biannually, and provide proof thereof to the Department on a biannual basis. The Department may cancel a Program Director's certification for failure to complete a minimum of eight (8) hours of continuing education training and to provide proof thereof to the Department biannually.

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

SYNOPSIS

STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE

The purpose of this repeal is to update the DUI Alcohol or Drug Use Risk Reduction Program rules. This rule references the process for directors. The Director requirement was eliminated from the DUI Risk Reduction Program effective January 16, 2024. Eliminating the requirement streamlines DDS processes and simplifies the process for program owners. Programs can still have this position as part of their staffing structure, but there is no longer an application for certification or recertification by DDS which is why we are requesting the repeal of the rule.

DIFFERENCE BETWEEN EXISTING AND PROPOSED RULES

The proposed amendment would repeal the current rule in its entirety.