

STATE BOARD OF EDUCATION
STATE OF GEORGIA

IN RE:

JOSEPH A SERAFIN,)	
 Petitioner,)	CASE NO. 1988-3
v.)	
STATE DEPARTMENT)	
OF EDUCATION,)	
 Appellee.)	RECOMMENDATION OF
)	SPECIAL MASTER

ORDER

THE STATE BOARD OF EDUCATION, after due consideration of the record submitted herein and the report of the Special Master, and after a vote in open meeting,

DETERMINES AND ORDERS, that the request of the Petitioner be denied.

This 10th day of March, 1988.

Mrs. Baranco voted no.

John M. TAYLOR
Vice Chairman for Appeals

STATE BOARD OF EDUCATION

STATE OF GEORGIA

IN RE:

JOSEPH A. SERAFIN,

Petitioner,

v.

**STATE DEPARTMENT OF
OF EDUCATION,**

Appellee.

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CASE NO. 1988-3

**RECOMMENDATION OF
SPECIAL MASTER**

PART I

SUMMARY

This is a petition by Joseph A. Serafin (hereinafter "Petitioner") from a decision of the State Department of Education (hereinafter "Department") to deny him a six-year certificate. Petitioner admits, that under the facts of this case, the State Board of Education is not required to grant him a six-year certificate, but he contends that he is entitled to a six-year certificate based upon the equities of the case. The State Department of Education contends Petitioner is not entitled to a six-year certificate because he does not meet the certification requirement of having completed a program on which the graduate institution will confer some type of degree, certificate or diploma.

PART II

FACTUAL BACKGROUND

Petitioner has Bachelor of Science and Master's Degrees in Psychology from Marywood College in Pennsylvania, and, as of 1971, had completed the equivalent of over forty-five quarter-hours of graduate work beyond his Master's Degree. The college's description of Petitioner's post master's program shows that he must have had a master's degree in order to be

accepted to the post master's program. Petitioner did not complete his master's work until after September 1, 1968. Petitioner has been attempting to obtain a six-year certificate in Georgia since 1975.

Under State Board of Education teacher certification requirements, a six-year certificate is based on a sixth year of college training -- a minimum of 45 quarter hours in a planned graduate program beyond the master's degree. Additionally, applicants who began their six-year programs after September 1, 1968, are required to complete a program on which the graduate institution will confer some type of degree, certificate or diploma. Because Petitioner's college did not grant Petitioner a degree, certificate, or diploma, upon completion of his studies, the State Department of Education has refused to give Petitioner a six-year certificate.

PART III

DISCUSSION

Petitioner contends he should receive a six-year certificate because he has taken the necessary courses and the required amount of hours beyond the master's degree program to qualify for a six-year certificate. Additionally, Petitioner contends that he began his six-year program prior to September 1, 1968, thus justifying awarding him a six-year certificate.

The State Board of Education's policy provides:

[The six-year certificate] is based on a sixth year of college training --- a minimum of 45 quarter hours in a planned graduate program beyond the master's degree and the first professional five-year certificate. Applicants who began their six-year programs after September 1, 1968. will be required to complete a program on which the graduate institution will confer some type of degree, certificate or diploma.

The policy then goes on to provide for additional methods an applicant can qualify for a six-year certificate, none of which are applicable to Appellant except to establish that the State Board of Education recognizes that there are additional criteria available to measure whether a six-year

certificate should be granted to an applicant.

Petitioner successfully completed the Pennsylvania requirements for an Educational Specialist II certificate, which was granted to him in July, 1976, and Marywood College submitted a recommendation form that he be granted a six-year certificate in Georgia. Although the Education Specialist certificate is not granted until a candidate has taught for some period of time, it does require the completion of at least 30 graduate semester credits (45 quarter credits) beyond the master's degree. Petitioner, therefore, has the requisite number of hours established by the policy. The next question is whether the number of hours were received "in a planned graduate program beyond the master's degree...."

Marywood College does not grant degrees beyond the master's level. It does, however, have a program for certification as a Pennsylvania School Psychologist that requires approximately 60 graduate credits. The record reflects that "the certification program is separate from the [master's] degree program", although a "master's degree in psychology can be gained in the process of completing the program...." Petitioner successfully completed this program "with outstanding quality" and received both his master's degree and a certificate from the Pennsylvania Department of Education. Petitioner was, therefore, in a planned program that required a minimum of 45 quarter hours beyond the master's degree and, thus he met the initial criteria established by the State Board of Education.

The next part of the policy requires candidates who began their programs after September 1, 1968, to "complete a program on which the graduate institution will confer some type of degree, certificate or diploma." As previously indicated, neither Marywood College nor the Commonwealth of Pennsylvania awards a degree or diploma for completion of a six-year program. The Georgia Department of Education contends that the certificate received by Petitioner "is not based on a higher degree, but rather on successful years of continuous service." Since there is no question that Petitioner did not have a higher degree, and his certificate was

issued by the Department of Education rather than the graduate institution, his request for a six-year certificate was denied.

Petitioner argues that the requirement for a degree, certificate, or diploma, should not be applicable to him because he started his program in August, 1968, prior to the adoption of the policy. A careful reading of the Marywood College brochures in evidence show that the college had a graduate psychology program with four options: one, a general/theoretical option; two, a school/child option; three, a clinical services option, and four, a gerontological option. The school/child option was made available “for those who have aspirations for certification as school psychologists”, and required the completion of “at least sixty graduate-level credits in addition to an extended field work experience.” The school recognized the certification program as a separate program from the master’s degree program, and it cautioned the candidates that their admission to the certificate program was “not automatic upon admission to the degree program.” Despite Petitioner’s contention, it appears that admission to the graduate studies program, which Petitioner started in August, 1968, did not guarantee admission to the certification program. An applicant to the certification program had to have a master’s degree before being considered for acceptance. Thus, even though Petitioner began his studies in August, 1968, with the intent of obtaining a certificate, his admission to the graduate program did not constitute admission to the certificate program. This could only be accomplished upon his successful completion of his master’s degree requirements. Petitioner is thus subject to the post-September 1, 1968, requirement “to complete a program on which the graduate institution will confer some type of degree, certificate or diploma.”

A literal reading of the policy dictates that the Department of Education correctly denied Petitioner a six— year certificate since he does not have a degree, certificate or diploma issued by Marywood College. He did, however, receive a certificate from the Commonwealth of Pennsylvania that, even though based upon an experience factor, evidences his successful completion of the certificate program at Marywood College.

The purpose of the policy is not stated. If the purpose is to establish that an applicant has successfully completed a minimum level of post-master's degree course work, then Petitioner has clearly demonstrated that he has met this purpose. If, however, the purpose is to establish that an applicant is pursuing a doctor's degree, then Petitioner has not met the purpose. Another purpose may be the necessity of establishing an objective criteria in order to permit the Department of Education to automatically accept or reject an application without facing the administrative impracticality of individually and subjectively deciding whether the programs offered by various institutions throughout the United States meet an acceptable level of study.

PART IV

RECOMMENDATION

It is clear that Petitioner does not qualify for a six-year certificate under a literal reading of the State Board of Education policy and the Department of Education has correctly denied Petitioner's application. Under the circumstances, however, the Special Master recommends that Petitioner be granted a certificate since the record shows he has successfully completed a minimum of 45 quarter hours of study beyond the Master's degree requirements.

L. O. Buckland
Special Master