

GENERAL ASSEMBLY OF NORTH CAROLINA
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SENATE BILL 599
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PROPOSED HOUSE COMMITTEE SUBSTITUTE S599-PCS15227-BEf-25

Short Title: Excellent Educators for Every Classroom.

(Public)

Sponsors:

Referred to:

April 5, 2017

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE PROFESSIONAL EDUCATOR PREPARATION AND STANDARDS COMMISSION, TO AUTHORIZE THE EXPANSION OF EDUCATOR PREPARATION PROGRAMS AND TO CREATE A SYSTEM THAT HOLDS ALL PROGRAMS ACCOUNTABLE, TO REORGANIZE AND CLARIFY THE EDUCATOR LICENSURE PROCESS, AND TO ENSURE AVAILABILITY OF INFORMATION ON TEACHER VACANCIES OCCURRING IN NORTH CAROLINA PUBLIC SCHOOLS.

The General Assembly of North Carolina enacts:

PART I. NORTH CAROLINA PROFESSIONAL EDUCATOR PREPARATION AND STANDARDS COMMISSION

SECTION 1.(a) Subchapter V of Chapter 115C of the General Statutes is amended by adding a new Article to read:

"Article 17C.

"Professional Educator Preparation and Standards Commission.

"§ 115C-268.1. Professional Educator Preparation and Standards Commission.

(a) Commission. – There is created the Professional Educator Preparation and Standards Commission (Commission). The purpose of the Commission is to involve stakeholders in establishing high standards for North Carolina educators. The Commission shall make rule recommendations regarding all aspects of preparation, licensure, continuing education, and standards of conduct of public school educators.

(b) Location. – The Commission shall be located administratively under the State Board of Education but shall exercise its powers and duties independently of the State Board of Education.

(c) Membership. – The Commission shall consist of the following 18 members:

(1) The General Assembly, upon the recommendation of the President Pro Tempore of the Senate, shall appoint the following:

a. One superintendent.

b. One principal.

c. One dean, or dean's designee, of an educator preparation program at a constituent institution of The University of North Carolina.

d. One dean, or dean's designee, of an educator preparation program at a nonpublic postsecondary educational institution in North Carolina.

e. One elementary school teacher.



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- 1 f. One middle or high school teacher.
2 g. One personnel administrator from a local school administrative unit
3 in North Carolina with at least 30,000 students.
4 h. One at-large member.
5 (2) The General Assembly, upon the recommendation of the Speaker of the
6 House of Representatives, shall appoint the following:
7 a. One superintendent.
8 b. One principal.
9 c. One dean, or dean's designee, of an educator preparation program at
10 a constituent institution of The University of North Carolina.
11 d. One dean, or dean's designee, of an educator preparation program at
12 a nonpublic postsecondary educational institution in North Carolina.
13 e. One elementary school teacher.
14 f. One middle or high school teacher.
15 g. One personnel administrator from a local school administrative unit
16 in North Carolina with less than 30,000 students.
17 h. One at-large member.
18 (3) The State Teacher of the Year.
19 (4) The Superintendent of Public Instruction or his or her designee.

20 In making appointments, the General Assembly is encouraged to select qualified citizens
21 who are committed to improving the teaching profession and student achievement and who
22 represent the racial, geographic, and gender diversity of the State. Before their appointment to
23 this Commission, with the exception of the at-large members, the members must have been
24 actively engaged in the profession of teaching, in the education of students in educator
25 preparation programs, or in the practice of public school administration for at least three years,
26 at least two of which occurred in this State. Appointed members shall serve for two-year terms.
27 Initial terms shall begin September 1, 2017. Vacancies in the membership shall be filled by the
28 General Assembly, as provided in G.S. 120-122, using the same criteria as provided in this
29 subsection.

30 (d) Organization and Functioning. – The Commission shall elect a chair, a vice-chair,
31 and a secretary from among its membership. In the absence of the chair, the vice-chair shall
32 preside over the Commission's meetings. All members are voting members and a majority of
33 the Commission constitutes a quorum. The Commission shall adopt rules to govern its
34 proceedings.

35 (e) Meetings. – Meetings of the Commission shall be held upon the call of the chair or
36 the vice-chair in the absence of the chair. The Superintendent shall call the initial meeting of
37 the Commission.

38 (f) Compensation and Reimbursement. – Members of the Commission shall receive
39 compensation for their services and reimbursement for expenses incurred in the performance of
40 their duties required by this Article at the rate prescribed in G.S. 138-5 and G.S. 138-6.

41 (g) Personnel. – The Commission may employ, subject to Chapter 126 of the General
42 Statutes, the necessary personnel for the performance of its functions and fix compensation
43 within the limits of funds available to the Commission.

44 **§ 115C-268.5. Powers and duties of the Commission.**

45 (a) Duties. – The Commission shall:

- 46 (1) Develop and recommend to the State Board of Education rules related to all
47 aspects of educator preparation programs in accordance with Article 17D of
48 this Chapter. These rules shall include the following:
49 a. Requirements for appropriate pedagogy to be included in residency
50 license programs.

- 1 (1) Approved EPP. – An EPP that has been approved by the State Board as
2 meeting the requirements established by rule, as provided in
3 G.S. 115C-269.10.
- 4 (2) Authorized EPP. – An EPP that (i) has met the accountability performance
5 standards described in G.S. 115C-269.35 and (ii) has been approved by the
6 State Board or accredited by CAEP to prepare, train, and recommend
7 students for licensure.
- 8 (3) CAEP. – Council for the Accreditation of Educator Preparation.
- 9 (4) Clinical educator. – An individual employed by a partner school, including a
10 classroom teacher, who assesses, supports, and develops a clinical intern's
11 knowledge, skills, and professional disposition during an internship.
- 12 (5) Clinical intern or intern. – Any student enrolled in a recognized EPP who is
13 jointly assigned by that EPP and a local board of education to teach under
14 the direction and supervision of a clinical educator, as provided in
15 G.S. 115C-269.25.
- 16 (6) Clinical internship or internship. – Type of field experience in which a
17 clinical intern works under the supervision of a clinical educator and may be
18 delegated those duties granted to an educator by G.S. 115C-307 and any
19 other part of the school program for which the clinical educator is
20 responsible.
- 21 (7) Clinical mentor or mentor. – An individual employed by an elementary or
22 secondary school, including a classroom teacher, who assesses, supports,
23 and develops a clinical resident's knowledge, skills, and professional
24 disposition during the residency.
- 25 (8) Clinical residency or residency. – Type of field experience in which a
26 clinical resident who already holds a bachelor's degree is enrolled in a
27 recognized EPP and also employed by a local school administrative unit as
28 an educator and supervised by the recognized EPP in partial fulfillment of
29 the recognized EPP's training requirements.
- 30 (9) Clinical resident. – Any student who meets the following criteria:
31 a. Holds a bachelor's degree.
32 b. Is enrolled in a recognized EPP.
33 c. Is employed by a local school administrative unit as an educator and
34 supervised by the recognized EPP in partial fulfillment of the
35 recognized EPP's training requirements.
- 36 (10) Educator preparation program or EPP. – Any entity that prepares, trains, and
37 recommends students for teacher licensure.
- 38 (11) Field experience. – Placement of students enrolled in a recognized EPP in
39 settings to provide opportunities to observe, practice, and demonstrate
40 knowledge and skills. A field experience may include preclinical classroom
41 experiences.
- 42 (12) Field supervisor. – An individual who is employed by a recognized EPP to
43 observe students, monitor their performance, and provide constructive
44 feedback to improve their effectiveness as educators during their clinical
45 internship or residency.
- 46 (13) Initially authorized EPP. – An EPP that has been either approved by the
47 State Board or accredited by CAEP to prepare, train, and recommend
48 students for licensure, but lacks data required by the performance standards
49 described in G.S. 115C-269.35.
- 50 (14) Partner school. – An elementary or secondary school located in North
51 Carolina that includes (i) a public school governed by a local board of

1 education, a charter school board of directors, a regional school board of
2 directors, or a UNC laboratory school board of trustees; (ii) a Department of
3 Defense Elementary and Secondary School established pursuant to 10
4 U.S.C. § 2164; and (iii) a nonpublic school that meets the requirements of
5 Part 1 or 2 of Article 39 of this Chapter.

6 (15) Recognized educator preparation program or recognized EPP. – An entity
7 that is initially authorized or authorized by the State Board to recommend
8 students for educator licensure.

9 (16) Student. – An individual enrolled in a recognized educator preparation
10 program.

11 **§ 115C-269.5. Educator preparation programs.**

12 (a) Role of EPPs. – An EPP shall prepare students for educator licensure and meet the
13 standards and requirements set forth in this Article. To recommend students for licensure, an
14 EPP shall be recognized by the State Board.

15 (b) State Board Authority. – The State Board shall initially authorize and recognize an
16 EPP as required by this Article. The State Board shall have authority to regulate EPPs in
17 accordance with this Article.

18 (c) Initial Authorization. – The State Board shall assign the status of initially authorized
19 to an EPP if it has not yet generated sufficient data to meet the performance standards, but the
20 EPP meets one of the following criteria:

21 (1) The EPP is approved by the State Board.

22 (2) The EPP is nationally accredited by CAEP.

23 (d) Authorization. – The State Board shall assign the status of authorized to an EPP if
24 the EPP meets the following criteria:

25 (1) The EPP is approved by the State Board or nationally accredited by CAEP.

26 (2) The EPP satisfies the performance standards to the extent that the EPP has
27 not been assigned revoked status described in G.S. 115C-269.45.

28 (e) The State Board shall assign the status of recognized EPP to an EPP that has the
29 status of initially authorized or authorized.

30 **§ 115C-269.10. Educator preparation program approval process.**

31 (a) State Board Authority. – The State Board shall have authority to approve an EPP
32 that meets the requirements established by rule as provided in subsection (b) of this section.

33 (b) Rules for Granting State Approval. – The State Board shall adopt rules for granting
34 approval to EPPs in accordance with this Article. The rules shall ensure the following:

35 (1) A rigorous approval process that requires that the criteria in this Article are
36 met.

37 (2) An application process, peer review, and technical assistance provided by
38 the State Board.

39 (3) An approval period of five years and process for renewal of approval.

40 (c) Minimum Approval Standards. – At a minimum, the rules established as provided in
41 subsection (b) of this section shall include the following standards:

42 (1) Students shall develop a deep understanding of the critical concepts and
43 principles of their discipline and, by completion, be able to use
44 discipline-specific practices flexibly to advance the learning of all students
45 toward attainment of college- and career-ready standards.

46 (2) Effective partnerships and high-quality clinical practice shall be central to
47 preparation so that students develop the knowledge, skills, and professional
48 dispositions necessary to demonstrate positive impact on all elementary and
49 secondary students' learning and development.

50 (3) Quality of students shall be a continuing and purposeful part of the EPP's
51 responsibility from recruitment, at admission, through the progression of

1 courses and field experiences, and to decisions that completers are prepared
2 to teach effectively and are recommended for licensure. The EPP shall
3 demonstrate that development of student quality is the goal of educator
4 preparation in all phases of the program through evidence of impact under
5 subdivision (4) of this subsection.

6 (4) The EPP shall demonstrate the impact of its completers on elementary and
7 secondary student learning and development, classroom instruction, and
8 schools, and the satisfaction of its completers with the relevance and
9 effectiveness of their preparation.

10 (5) The EPP shall maintain a quality assurance system comprised of valid data
11 from multiple measures, including evidence of students' and completers'
12 positive impact on elementary and secondary student learning and
13 development. The EPP shall support continuous improvement that is
14 sustained and evidence-based and that evaluates the effectiveness of its
15 completers. The EPP shall use the results of inquiry and data collection to
16 establish priorities, enhance program elements and capacity, and test
17 innovations to improve completers' impact on elementary and secondary
18 student learning and development.

19 (d) Application. – An EPP seeking to be approved by the State Board shall complete the
20 application process established by the State Board.

21 (e) Peer Review. – An EPP seeking to be approved by the State Board shall undergo a
22 peer review process established by the State Board that includes highly qualified and trained
23 members to adequately review programs within the State.

24 (f) Technical Assistance. – For EPPs seeking approval, the State Board shall provide
25 technical assistance in efforts to do the following:

26 (1) Improve education quality and EPP performance.

27 (2) Inform EPPs about the program approval process as part of EPP
28 performance based on outcome data.

29 (3) Assist with State and federal reporting processes.

30 (4) Help build and maintain partnerships between elementary and secondary
31 schools and EPPs.

32 **"§ 115C-269.15. Minimum admissions requirements for educator preparation programs.**

33 (a) Testing. – A recognized EPP shall not admit a student until that student has met one
34 of the following criteria:

35 (1) Attained a passing score or prescribed minimum score set by the State Board
36 for a preprofessional skills test.

37 (2) Achieved the appropriate required scores, as determined by the State Board,
38 on the verbal and mathematics portions of the SAT or ACT. The minimum
39 combined verbal and mathematics score set by the State Board for the SAT
40 shall be 1,100 or greater. The minimum composite score set by the State
41 Board for the ACT shall be 24 or greater.

42 (3) Holds a bachelor's degree.

43 (b) Individual Grade Point Average. – A recognized EPP shall not admit a student into
44 an EPP unless that student has earned a grade point average of at least a 2.7.

45 (c) Grade Point Average Exceptions. – Notwithstanding subsection (b) of this section,
46 the individual grade point average requirement does not apply to a clinical resident student if
47 the hiring local school administrative unit determines that one of the following criteria is met:

48 (1) The student has at least 10 years of relevant experience.

49 (2) For a program leading to licensure in career and technical education, the
50 student has at least five years of relevant experience.

1 (d) Cohort Grade Point Average. – A recognized EPP shall ensure that the minimum
2 cohort grade point average for each entering cohort to an EPP is at least a 3.0.

3 **"§ 115C-269.20. Content and pedagogy requirements.**

4 (a) Content and Pedagogy Requirements. – To ensure that EPPs remain current and
5 reflect a rigorous course of study that is aligned to State and national standards, the State Board
6 shall require at least the following minimum requirements with demonstrated competencies in
7 its rules:

8 (1) All EPPs shall include instruction in the following:

9 a. The identification and education of children with disabilities.

10 b. Positive management of student behavior and effective
11 communication techniques for defusing and de-escalating disruptive
12 or dangerous behavior.

13 c. Demonstration of competencies in using digital and other
14 instructional technologies to provide high-quality, integrated digital
15 teaching and learning to all students.

16 d. The skills and responsibilities required of educators.

17 e. The expectations for student performance based on State standards.

18 f. The supply of and demand for educators in this State, as identified in
19 the vacancy report required by G.S. 115C-299.5(e).

20 g. The State's framework for appraisal of educators.

21 (2) EPPs providing training for elementary education teachers shall include the
22 following:

23 a. Adequate coursework in the teaching of reading, writing, and
24 mathematics.

25 b. Assessment prior to licensure to determine if a student possesses the
26 requisite knowledge in scientifically based reading, writing, and
27 mathematics instruction that is aligned with the State Board's
28 expectations.

29 c. Instruction in application of formative and summative assessments
30 within the school and classroom setting through technology-based
31 assessment systems available in State schools that measure and
32 predict expected student improvement.

33 d. Instruction in integration of arts education across the curriculum.

34 (3) EPPs providing training for elementary and special education general
35 curriculum teachers shall ensure that students receive instruction in early
36 literacy intervention strategies and practices that are aligned with State and
37 national reading standards and shall include the following:

38 a. Instruction in the teaching of reading, including a substantive
39 understanding of reading as a process involving oral language,
40 phonological and phonemic awareness, phonics, fluency, vocabulary,
41 and comprehension. Instruction shall include appropriate application
42 of instructional supports and services and reading interventions to
43 ensure reading proficiency for all students.

44 b. Instruction in evidence-based assessment and diagnosis of specific
45 areas of difficulty with reading development and of reading
46 deficiencies.

47 c. Instruction in appropriate application of instructional supports and
48 services and reading interventions to ensure reading proficiency for
49 all students.

50 (4) EPPs providing training for middle and high school teachers shall include
51 the following:

- 1 a. Adequate coursework in the relevant content area. For clinical
2 residency programs, students may instead demonstrate mastery of the
3 relevant content area through the passage of the relevant content area
4 examination approved by the State Board.
5 b. Adequate coursework in the teaching of the relevant content area.
6 c. For EPPs providing training for science teachers, adequate
7 preparation in issues related to science laboratory safety.

8 **"§ 115C-269.25. Clinical partnerships and practice in educator preparation programs.**

9 (a) Collaborative Partnerships With Elementary and Secondary Schools. – EPPs shall
10 establish and maintain collaborative, formalized partnerships with elementary and secondary
11 partner schools that are focused on student achievement, continuous school improvement, and
12 the professional development of elementary and secondary educators, as well as those
13 preparing educators.

14 (b) Memorandum of Understanding With Local School Administrative Units. – EPPs
15 shall enter into a memorandum of understanding with the local school administrative unit or the
16 partner school where students are placed or employed. In the memorandum, the EPP and the
17 local school administrative unit or partner school, as applicable, shall:

18 (1) Define the collaborative relationship between the EPP and the local school
19 administrative unit or partner school and how this partnership will be
20 focused on continuous school improvement and student achievement.

21 (2) Adopt a plan for collaborative clinical educator or mentor selection,
22 orientation, and student placement.

23 (3) Determine how information will be shared and verified between the EPP and
24 the local school administrative unit or partner school.

25 (c) Field Experience Requirements. – To the extent practicable, EPPs shall require, in
26 all programs leading to initial professional licensure, the following:

27 (1) Field experiences in every semester that include organized and sequenced
28 engagement of students in settings that provide them with opportunities to
29 observe, practice, and demonstrate knowledge and skills. The experiences
30 shall be systematically designed and sequenced to increase the complexity
31 and levels of engagement with which students apply, reflect upon, and
32 expand their knowledge and skills, and to increase in each semester prior to
33 the student's internship the number of hours spent in field experiences.

34 (2) A minimum of two hours of field experience in the first semester of the
35 program and a cumulative total of at least 12 hours of field experiences prior
36 to the student's internship.

37 (3) At least one field experience in a low-performing school.

38 (d) Clinical Practice Requirements. – EPPs shall require clinical practice in the form of
39 one of the following:

40 (1) Internship that lasts for a minimum of 16 weeks. Internships may be over the
41 course of two semesters and shall, to the extent practicable, provide field
42 experiences at both the beginning and ending of the school year. It shall be
43 the responsibility of a clinical educator, in cooperation with the principal and
44 the representative of the EPP, to assign to the intern responsibilities and
45 duties that will provide adequate preparation for teaching.

46 (2) Residency that meets the following criteria:

47 a. The residency lasts for a minimum of one year.

48 b. The EPP provides ongoing support to a student for the full term of
49 the residency.

50 c. The EPP assigns a clinical mentor to the resident.

- 1 d. The resident completes field experiences and training required by the
2 State Board prior to the residency.
- 3 (e) Clinical Educator Requirements. – The EPP shall ensure clinical educators who
4 supervise students in internships meet the following requirements:
- 5 (1) Be professionally licensed in the field of licensure sought by the student.
6 (2) Have a minimum of three years of experience in a teaching role.
7 (3) Have been rated, through the educator's most recent formal evaluations, at
8 least at the "proficient" level as part of the North Carolina Teacher
9 Evaluation System, or the equivalent on an evaluation system utilized by
10 another state or partner school, as applicable, and have met expectations as
11 part of a student growth assessment system used by a school in the field of
12 licensure sought by the student. The principal shall determine which clinical
13 educator best meets the needs of each intern and shall assign the most
14 appropriate clinical educator to that intern, with priority consideration for
15 those clinical educators rated as "distinguished" and "accomplished." If a
16 principal determines that a teacher rated as "proficient" is the most
17 appropriate clinical educator for an intern, the principal shall maintain
18 records of the reasons for that determination.
- 19 (f) Clinical Mentor Requirements. – The EPP shall ensure clinical educators who
20 supervise students in residencies meet the following requirements:
- 21 (1) Be professionally licensed in the field of licensure of the resident.
22 (2) Have a minimum of three years of experience in a teaching role.
23 (3) Meet the requirements for mentor teachers under G.S. 115C-300.1(c).
- 24 (g) Legal Protection of Interns. – An intern under the supervision of a clinical educator
25 or principal shall have the protection of the laws accorded to a licensed educator.
- 26 (h) Pedagogy Assessment. – EPPs shall require, in addition to a content assessment, a
27 nationally normed and valid pedagogy assessment to determine clinical practice performance.
28 Passing scores and mastery criteria shall be determined by the State Board.
- 29 **§ 115C-269.30. Teacher assistants engaged in internships.**
- 30 (a) Program for Teacher Assistants. – The State Board shall adopt a program to
31 facilitate the process by which teacher assistants may become teachers. Teacher assistants who
32 participate in this program:
- 33 (1) Shall be enrolled in a recognized EPP.
34 (2) Shall be employed in a North Carolina public school.
- 35 (b) Internship Assignments. – Local school administrative units are encouraged to
36 assign teacher assistants to a different classroom during an internship than the classroom they
37 are assigned to as a teacher assistant. To the extent possible, they may be assigned to another
38 school within the same local school administrative unit.
- 39 (c) Salary and Benefits. – At the discretion of the local school administrative unit,
40 teacher assistants may continue to receive their salary and benefits while interning in the same
41 local school administrative unit where they are employed as a teacher assistant.
- 42 (d) Consultation With Institutions of Higher Education. – The State Board shall consult
43 with the Board of Governors of The University of North Carolina and the North Carolina
44 Independent Colleges and Universities in the development of the program.
- 45 **§ 115C-269.35. Accountability for educator preparation programs.**
- 46 (a) Performance Measures. – The State Board shall adopt rules necessary to establish
47 standards of performance to govern the continuing accountability of all EPPs. At a minimum,
48 the performance standards shall be based on the following information that is disaggregated
49 with respect to race, sex, and ethnicity:
- 50 (1) Performance based on the standards and criteria for annual evaluations of
51 licensed employees.

- 1 (2) Proficiency and growth of students taught by educators holding an initial
2 professional license, to the extent practicable. When available, EVAAS data
3 shall be used to measure student proficiency and growth.
- 4 (3) Results from an educator satisfaction survey, developed by the State Board
5 with stakeholder input, performed at the end of the educator's first year of
6 teaching after receiving an initial professional license.
- 7 (4) Quality of students entering the EPP, including the average grade point
8 average and average score on preprofessional skills tests or college entrance
9 exams that assess reading, writing, mathematics, and other competencies.
- 10 (b) Annual Performance Reports. – The State Board shall require all recognized EPPs
11 to submit annual performance reports. The performance reports shall provide the State Board
12 with a focused review of the EPPs and the current authorization process in order to ensure that
13 the programs produce graduates that are well prepared to teach. At a minimum, the annual
14 report shall contain the following indicators:
- 15 (1) Performance data from subsection (a) of this section.
- 16 (2) Data related to the EPP's compliance with requirements for field supervision
17 of students during their internship and residency experiences.
- 18 (3) The following information, disaggregated by race, sex, and ethnicity:
- 19 a. The number of students who apply.
- 20 b. The number of students admitted.
- 21 c. The number of students retained.
- 22 d. The number of students completing the program.
- 23 e. The number of students employed as beginning teachers under initial
24 professional licenses by not later than the first anniversary of
25 completing the program.
- 26 f. The amount of time required by students employed as beginning
27 teachers under residency licenses to be issued initial professional
28 licenses.
- 29 g. The number of students retained in the profession.
- 30 h. Any other information required by federal law.
- 31 (4) The ratio of field supervisors to students completing an internship or
32 residency.
- 33 (5) Graduation rates.
- 34 (6) Time-to-graduation rates.
- 35 (7) Average scores of graduates on professional, pedagogy, and content area
36 examinations for the purpose of licensure.
- 37 (8) Percentage of graduates receiving initial professional licenses.
- 38 (9) The extent to which the program prepares educators, including general
39 education teachers and special education teachers, to effectively teach the
40 following:
- 41 a. Students with disabilities.
- 42 b. Students of limited English proficiency.
- 43 (10) The activities offered by the program that are designed to prepare educators
44 to do the following:
- 45 a. Integrate technology effectively into curricula and instruction,
46 including activities consistent with the principles of universal design
47 for learning.
- 48 b. Use technology effectively to collect, manage, and analyze data to
49 improve teaching and learning for the purpose of increasing student
50 academic achievement.

- 1 (11) The perseverance of beginning educators in the profession, as determined on
2 the basis of the number of beginning educators who maintain status as active
3 contributing members in the North Carolina State Employee Retirement
4 System at least three years after licensure in comparison to similar programs.
5 (12) The results of surveys given to school principals that involve evaluation of
6 the program's effectiveness in preparing participants to succeed in the
7 classroom, based on experience with employed program participants.
8 (13) Any other information necessary to enable the State Board to assess the
9 effectiveness of the program on the basis of educator retention and success
10 criteria adopted by the State Board.

11 (c) Submission of Annual Performance Reports. – Performance reports shall be
12 provided annually to the following:

- 13 (1) The State Board.
14 (2) The board of trustees or board of directors of the entity submitting the report.

15 (d) Information Requests by EPPs. – The State Board of Education shall annually
16 provide, upon request, the data required to be included in an EPP's annual performance report
17 related to subdivisions (1) and (2) of subsection (a) of this section and subdivision (11) of
18 subsection (b) of this section. The State Board of Education shall provide this information to an
19 EPP as aggregate data and disaggregated by race, sex, and ethnicity. Notwithstanding Article
20 21A of this Chapter, local school administrative units shall provide to the State Board of
21 Education for the purposes of these information requests any North Carolina Educator
22 Evaluation System effectiveness status assigned to teachers based on queries from the State
23 Board. The State Board of Education shall not report aggregated or disaggregated data to the
24 EPP that reveals confidential information in a teacher's personnel file, as defined by Article
25 21A of this Chapter, such as making the effectiveness status personally identifiable to an
26 individual teacher.

27 **"§ 115C-269.40. Risk factors for educator preparation programs; risk-assessment model.**

28 (a) Risk Factor Rules. – The State Board shall adopt rules establishing risk factors for
29 assessment of the overall risk level of each EPP. The set of risk factors shall include the
30 following:

- 31 (1) A history of the EPP's compliance with State law and rules, with
32 consideration given to the following:
33 a. The seriousness of any violation of a law or rule.
34 b. Whether the violation resulted in an action being taken against the
35 EPP.
36 c. Whether the violation was promptly remedied by the EPP.
37 d. The number of alleged violations.
38 e. Any other matter considered to be appropriate in evaluating the EPP's
39 compliance history.
40 (2) Whether the program meets the accountability performance standards under
41 G.S. 115C-269.35.

42 (b) CAEP Accreditation. – The rules for risk factors developed by the State Board may
43 include whether an EPP is accredited by CAEP.

44 (c) Use of Risk Factors. – The State Board shall use the rules for risk factors when
45 conducting monitoring, inspections, and compliance audits of EPPs, including evaluations
46 associated with renewals of approval under G.S. 115C-269.10.

47 **"§ 115C-269.45. Sanctions.**

48 (a) Accountability Statuses. – The State Board shall at least annually review the
49 accountability status of each EPP. The State Board shall adopt rules necessary for the sanction
50 of EPPs that do not meet accountability standards or comply with State law or rules. The rules

1 shall provide for the assignment of warned, probation, or revoked statuses according to the
2 following criteria:

3 (1) Warned. – An EPP shall be assigned warned status if the program meets any
4 of the following criteria:

5 a. Fails to meet the performance standards set by the State Board for the
6 overall performance of all its students on any of the indicators set
7 forth in G.S. 115C-269.35(a) in any one year.

8 b. Fails to meet the performance standards in any two sex, race, or
9 ethnicity demographic groups on any of the indicators set forth in
10 G.S. 115C-269.35(a) in any one year.

11 c. Fails to meet the performance standards for a sex, race, or ethnicity
12 demographic group on any of the indicators set forth in
13 G.S. 115C-269.35(a) for two consecutively measured years,
14 regardless of whether the deficiency is in the same demographic
15 group or standard.

16 d. The State Board determines that the EPP has violated applicable laws
17 or rules that should result in warned status.

18 (2) Probation. – An EPP shall be assigned probation status if the program meets
19 any of the following criteria:

20 a. Fails to meet the performance standards set by the State Board for the
21 overall performance of all its students on any of the indicators set
22 forth in G.S. 115C-269.35(a) for two consecutively measured years.

23 b. Fails to meet the performance standards in any three sex, race, or
24 ethnicity demographic groups on any of the indicators set forth in
25 G.S. 115C-269.35(a) in any one year.

26 c. Fails to meet the performance standards for a sex, race, or ethnicity
27 demographic group on any of the indicators set forth in
28 G.S. 115C-269.35(a) for three consecutively measured years,
29 regardless of whether the deficiency is in the same demographic
30 group or standard.

31 d. The State Board determines that the EPP has violated applicable laws
32 or rules that should result in probation status.

33 (3) Revoked. – An EPP shall be assigned revoked status and its approval to
34 recommend students for educator licensure revoked if it meets any of the
35 following criteria:

36 a. Is assigned probation status for three consecutively measured years.

37 b. Has been on probation status for one year and the State Board
38 determines that revoking the program's approval is reasonably
39 necessary to achieve the purposes of this Article.

40 (b) Revocation. – Any revocation of an EPP's accountability status shall meet the
41 following criteria:

42 (1) Complies with the requirements of notice as described in subsection (f) of
43 this section.

44 (2) Upon assignment of revoked status of EPP approval, the EPP shall not admit
45 new students, but may complete the training of students already admitted by
46 the program and recommend them for licensure. If necessary, the State
47 Board and other EPPs shall cooperate to assist the previously admitted
48 students of the revoked EPP to complete their training.

49 (3) A revocation shall be effective for a period of at least two years. After two
50 years, the program may seek initial authorization to prepare educators for
51 licensure.

1 (c) Range of Sanctions. – In addition to revocation as provided in subsections (a) and
2 (b) of this section, the rules described in subsection (a) of this section shall provide for the State
3 Board to assign other sanctions deemed necessary, including one or more of the following:

4 (1) Requiring the EPP to obtain technical assistance approved by the State
5 Board.

6 (2) Requiring the EPP to obtain professional services under contract with
7 another entity.

8 (3) Appointing a monitor to participate in and report to the State Board on the
9 activities of the EPP.

10 (4) Managing the EPP's enrollment.

11 (d) Particular Fields of Licensure. – Any sanction authorized or required to be taken
12 against an EPP under subsection (c) of this section may also be taken with regard to a program
13 for a particular field of licensure authorized to be offered by an EPP.

14 (e) Costs. – Any costs associated with the sanctions under subsection (c) of this section
15 shall be paid by the EPP.

16 (f) Notice, Hearing, and Appeal. – The State Board shall give written notice to the EPP
17 by certified mail of an EPP's revocation of authorized status, including a written explanation of
18 the basis for the revocation. An EPP may commence a contested case as provided in Article 3
19 of Chapter 150B of the General Statutes as to the revocation by the State Board.

20 **"§ 115C-269.50. EPP report cards.**

21 The State Board shall create a report card in a common format for each EPP that, at a
22 minimum, summarizes the information collected in the annual performance reports, as set forth
23 in G.S. 115C-269.35(b). The State Board shall make the report cards available to the public
24 through the State Board's Internet Web site on an annual basis beginning December 15, 2019,
25 and shall submit the report to the Joint Legislative Education Oversight Committee annually by
26 that date. The State Board of Education shall also provide the information from each EPP's
27 annual performance report to the Board of Governors of The University of North Carolina to be
28 incorporated into the Teacher Quality Dashboard to provide greater accessibility and
29 comparability of data on the performance of EPPs in the State.

30 **"§ 115C-269.55. Reports of alleged violations regarding educator preparation programs.**

31 (a) Authority. – The State Board shall adopt rules necessary to establish a process for a
32 student to report a violation of this Article to the State Board.

33 (b) EPP Notice to Students. – The State Board by rule shall require an EPP to notify
34 students of the complaint process adopted under subsection (a) of this section. The notice shall
35 include the appropriate contact information, including name, mailing address, telephone
36 number, and Internet Web site address for the purpose of directing complaints to the State
37 Board. The EPP shall provide for that notification as follows:

38 (1) On the Internet Web site of the EPP, if the program maintains a Web site.

39 (2) On a sign prominently displayed in program facilities.

40 (3) In the student handbook.

41 (c) Notice of Complaint Process. – The State Board shall post the complaint process
42 adopted under subsection (a) of this section on the State Board's Internet Web site.

43 (d) Limits on State Board Authority. – The State Board has no authority to mediate,
44 arbitrate, or resolve contractual or commercial issues between an EPP and a student."

45 **SECTION 2.(j)** G.S. 115C-284(e) reads as rewritten:

46 "(e) It shall be unlawful for any board of education to employ or keep in service any
47 principal or supervisor who neither holds nor is qualified to hold a ~~certificate~~ license in
48 compliance with the provision of the law or in accordance with the regulations of the State
49 Board of Education. However, a local board of education may select a retired principal or
50 retired assistant principal to serve as an interim principal for the remainder of any school year,
51 regardless of licensure status."

- 1 (1) Administrator. – An administrator or supervisor who serves in general and
2 program administrator roles, as classified by the State Board. Administrators
3 shall include superintendents, assistant or associate superintendents,
4 principals, assistant principals, or curriculum-instructional specialists.
- 5 (2) Professional educator. – An administrator, teacher, or student services
6 personnel.
- 7 (3) Recognized educator preparation program or recognized EPP. – As defined
8 in G.S. 115C-269.1(15).
- 9 (4) Student services personnel. – An individual providing specialized assistance
10 to students, teachers, administrators, or the education program in general, as
11 classified by the State Board. Student services personnel shall include
12 individuals employed in school counseling, school social work, school
13 psychology, audiology, speech-language pathology, and media coordination.
- 14 (5) Teacher. – An individual whose major responsibility is to either teach or
15 directly supervise teaching, as classified by the State Board.

16 **"§ 115C-270.5. State Board of Education establishes licensure requirements.**

17 (a) Authority. – The State Board of Education shall have entire control of licensing all
18 applicants for professional educator positions in all public schools of North Carolina, subject to
19 the requirements of this Article. The State Board shall adopt rules for the issuance, renewal,
20 and extension of all licenses and shall determine and fix the salary for each grade and type of
21 license which it authorizes.

22 (b) Consultation – The State Board shall receive recommendations from the
23 Professional Educator Preparation and Standards Commission and seek input from The
24 University of North Carolina Board of Governors, the State Board of Community Colleges,
25 educator preparation programs, and such other public and private agencies as are necessary in
26 adopting rules required by this Article.

27 **"§ 115C-270.10. Licensure fees.**

28 (a) Fee Schedule. – The State Board of Education shall establish by rule a schedule of
29 fees for professional educator licensure and administrative changes. The fees established under
30 this section shall not exceed the actual cost of providing the service. The schedule may include
31 fees for any of the following services:

- 32 (1) Application for demographic or administrative changes to a license.
33 (2) Application for a duplicate license or for copies of documents in the
34 licensure files.
35 (3) Application for a renewal, extension, addition, upgrade, reinstatement, and
36 variation to a license.
37 (4) Initial application for a new graduate from any recognized educator
38 preparation program.
39 (5) Initial application for an out-of-state applicant.
40 (6) All other applications.

41 An applicant must pay any nonrefundable or nontransferable service fees at the time an
42 application is submitted.

43 (b) Fee Increase Reporting. – The State Board of Education shall report to the Joint
44 Legislative Education Oversight Committee by March 15 in any year that the amount of fees in
45 the fee schedule established under this section has been modified during the previous 12
46 months. The report shall include the number of personnel paid from licensure receipts, any
47 change in personnel paid from receipts, other related costs covered by the receipts, and the
48 estimated unexpended receipts as of June 30 of the year reported.

49 **"§ 115C-270.15. Examination requirements for initial professional licenses.**

50 (a) Examination Score Requirements. – The State Board of Education shall require an
51 applicant for an initial professional license to demonstrate the applicant's academic and

1 professional preparation by achieving a prescribed minimum score on a standard examination
2 appropriate and adequate for that purpose. Elementary education (K-6) and special education
3 general curriculum teachers shall also achieve a prescribed minimum score on subtests or
4 standard examinations specific to teaching reading and mathematics.

5 (b) Establishment of Minimum Scores. – The State Board shall adopt rules that
6 establish the minimum scores for any required standard examinations and other measures
7 necessary to assess the qualifications of professional educators as required under this section.
8 For purposes of this section, the State Board shall not be subject to Article 2A of Chapter 150B
9 of the General Statutes. At least 30 days prior to changing any rule adopted under this section,
10 the State Board shall provide written notice to all recognized educator preparation programs
11 and to all local boards of education. The written notice shall include the proposed revised rule.
12 The State Board of Education shall make any required standard initial professional licensure
13 exam rigorous and raise the prescribed minimum score as necessary to ensure that each
14 applicant has received high-quality academic and professional preparation to teach effectively.

15 (c) Time Line for Completion of Examinations. – The State Board of Education shall
16 permit an applicant to fulfill any such testing requirement before or during the applicant's
17 second year of teaching, provided the applicant took the examination at least once during the
18 first year of teaching.

19 **"§ 115C-270.20. Licensure requirements.**

20 (a) Teacher Licenses. – The State Board shall adopt rules for the issuance of the
21 following classes of teacher licenses, including required levels of preparation for each
22 classification:

23 (1) Continuing professional license or CPL. – A five-year renewable license
24 issued to a teacher who has at least three years of licensed teaching
25 experience and meets other requirements established by the State Board. A
26 CPL shall remain in effect for five years after retirement.

27 (2) Emergency license or EL. – A one-year nonrenewable license issued to an
28 individual who holds a bachelor's degree with coursework relevant to the
29 requested licensure area, but has not successfully completed a recognized
30 educator preparation program and does not qualify for a residency license.
31 An emergency license shall only be requested by the local board of
32 education, and applicants for emergency licenses shall meet all other
33 requirements established by the State Board, including preservice training,
34 prior to teaching.

35 (3) Initial professional license or IPL. – A three-year nonrenewable license
36 issued to an individual who has successfully completed a recognized
37 educator preparation program and meets other requirements established by
38 the State Board.

39 (4) Lifetime license. – A license issued to a teacher after 50 or more years of
40 teaching as a licensed teacher that requires no renewal.

41 (5) Residency License or RL. – A one-year license, renewable twice, that meets
42 both of the following requirements:

43 a. Is requested by the local board of education and accompanied by a
44 certification of supervision from the recognized educator preparation
45 program in which the individual is enrolled.

46 b. The individual for whom the license is requested meets all of the
47 following requirements:

48 1. Holds a bachelor's degree.

49 2. Has either completed coursework relevant to the requested
50 licensure area or passed the content area examination relevant

1 to the requested licensure area that has been approved by the
2 State Board.

3 3. Is enrolled in a recognized educator preparation program.

4 4. Meets all other requirements established by the State Board,
5 including completing preservice requirements prior to
6 teaching.

7 (6) Retirement licensure. – A five-year renewable license issued to a teacher
8 who retired with 30 or more years of teaching experience in North Carolina
9 and who has been employed by a local school administrative unit after
10 retirement as any of the following:

11 a. A substitute teacher.

12 b. A part-time provider of any of the following services: classroom
13 instruction, tutoring, mentoring teachers, writing curricula,
14 developing and leading staff development programs for teachers, or
15 working in after-school programs.

16 (b) Administrator and Student Services Personnel. – The State Board shall establish
17 classification and levels of preparation necessary for issuance of licenses for administrators and
18 student services personnel.

19 (c) Notwithstanding the requirement in subsection (a) of this section that an individual
20 must hold a bachelor's degree with coursework relevant to the requested licensure area for
21 individuals seeking licensure in a career or technical education area, the State Board may
22 establish alternate criteria related to that area to establish competency in lieu of a bachelor's
23 degree.

24 **"§ 115C-270.25. Out-of-state license applicants.**

25 Initial applications from an individual with an out-of-state teacher's license shall require the
26 applicant to provide evidence of that teacher's effectiveness, when available, as measured by
27 the evaluation system used in that applicant's state of current licensure at the time of
28 application, including any growth measures included in that evaluation system. Applications
29 that include the evidence of that educator's effectiveness shall be prioritized for review over
30 initial applications from applicants with out-of-state licenses that do not include that
31 information. An individual who does not include evidence of that teacher's effectiveness with
32 the initial application shall only be eligible for an IPL.

33 **"§ 115C-270.30. Licensure renewal.**

34 (a) Licensure Renewal. – The State Board shall adopt rules establishing the
35 requirements for renewal of all professional educator licenses. These requirements shall reflect
36 rigorous standards for continuing licensure and shall be aligned with high-quality professional
37 development programs that reflect State priorities for improving student achievement.

38 (b) Teacher Licensure Renewal. – Rules for continuing licensure for teachers shall
39 include the following:

40 (1) For all teachers, at least eight continuing education credits with at least three
41 credits required in a teacher's academic subject area.

42 (2) For elementary school teachers, at least three continuing education credits
43 related to literacy. Literacy renewal credits shall include evidence-based
44 assessment, diagnosis, and intervention strategies for students not
45 demonstrating reading proficiency. Oral language, phonemic and
46 phonological awareness, phonics, vocabulary, fluency, and comprehension
47 shall be addressed in literacy-related activities leading to license renewal for
48 elementary school teachers.

49 (3) For retirement licensure, at least 640 hours of documented employment in a
50 local school administrative unit each renewal cycle and eight hours of annual
51 professional development approved by a local school administrative unit.

1 (4) For all teachers employed by a local board of education, evidence of a rating
2 of at least proficient on the most recent annual evaluation to maintain the
3 current license status. A teacher who is unable to satisfy this requirement but
4 has been placed on a mandatory improvement plan may be eligible to
5 receive an IPL if that teacher satisfies all other licensure requirements.

6 (5) A member of the General Assembly is exempt from the continuing
7 education credit requirements for teachers during any five-year licensure
8 renewal cycle in which the member serves a term or some portion thereof in
9 the General Assembly as long as the member notifies the Department of
10 Public Instruction of the exemption during that five-year licensure renewal
11 cycle.

12 (c) License Renewal Rules Review. – The rules for licensure renewal shall be reviewed
13 at least once every five years by the State Board to do the following:

14 (1) Reevaluate and enhance the requirements for renewal of professional
15 educator licenses.

16 (2) Consider modifications in the license renewal achievement to make it a
17 mechanism for professional educators to renew continually their knowledge
18 and professional skills.

19 (3) Integrate digital teaching and learning into the requirements for licensure
20 renewal.

21 **§ 115C-270.35. License suspension and revocation.**

22 (a) The State Board shall adopt rules to establish the reasons and procedures for the
23 suspension and revocation of licenses, subject to the requirements of this section.

24 (b) Automatic Revocation With No Hearing. – The State Board shall automatically
25 revoke the license of a professional educator without the right to a hearing upon receiving
26 verification of the identity of the professional educator together with a certified copy of a
27 criminal record showing that the professional educator has entered a plea of guilty or nolo
28 contendere to or has been finally convicted of any of the following crimes:

29 (1) Murder in the first or second degree, G.S. 14-17.

30 (2) Conspiracy or solicitation to commit murder, G.S. 14-18.1.

31 (3) Rape or sexual offense, as defined in Article 7B of Chapter 14 of the
32 General Statutes.

33 (4) Felonious assault with deadly weapon with intent to kill or inflicting serious
34 injury, G.S. 14-32.

35 (5) Kidnapping, G.S. 14-39.

36 (6) Abduction of children, G.S. 14-41.

37 (7) Crime against nature, G.S. 14-177.

38 (8) Incest, G.S. 14-178 or G.S. 14-179.

39 (9) Employing or permitting minor to assist in offense against public morality
40 and decency, G.S. 14-190.6.

41 (10) Dissemination to minors under the age of 16 years, G.S. 14-190.7.

42 (11) Dissemination to minors under the age of 13 years, G.S. 14-190.8.

43 (12) Displaying material harmful to minors, G.S. 14-190.14.

44 (13) Disseminating harmful material to minors, G.S. 14-190.15.

45 (14) First degree sexual exploitation of a minor, G.S. 14-190.16.

46 (15) Second degree sexual exploitation of a minor, G.S. 14-190.17.

47 (16) Third degree sexual exploitation of a minor, G.S. 14-190.17A.

48 (17) Taking indecent liberties with children, G.S. 14-202.1.

49 (18) Solicitation of child by computer to commit an unlawful sex act,
50 G.S. 14-202.3.

51 (19) Taking indecent liberties with a student, G.S. 14-202.4.

1 (20) Prostitution, G.S. 14-204.

2 (21) Patronizing a prostitute who is a minor or a mentally disabled person,
3 G.S. 14-205.2(c) or (d).

4 (22) Promoting prostitution of a minor or a mentally disabled person,
5 G.S. 14-205.3(b).

6 (23) Child abuse under G.S. 14-318.4.

7 The State Board shall mail notice of its intent to act pursuant to this subsection by certified
8 mail, return receipt requested, directed to the professional educator's last known address. The
9 notice shall inform the professional educator that it will revoke the person's license unless the
10 professional educator notifies the State Board in writing within 10 days after receipt of the
11 notice that the defendant identified in the criminal record is not the same person as the
12 professional educator. If the professional educator provides this written notice to the State
13 Board, the State Board shall not revoke the license unless it can establish as a fact that the
14 defendant and the professional educator are the same person.

15 (c) Mandatory Revocation. – The State Board shall revoke the license of a professional
16 educator if the State Board receives notification from a local board of education or the
17 Secretary of Health and Human Services that a professional educator has received a rating on
18 any standard that was identified as an area of concern on the mandatory improvement plan that
19 was below proficient or otherwise represented unsatisfactory or below standard performance
20 under G.S. 115C-333(d) and G.S. 115C-333.1(f).

21 (d) Discretionary Revocation. – The State Board may revoke or refuse to renew a
22 professional educator's license when the Board identifies the school in which the professional
23 educator is employed as low-performing under G.S. 115C-105.37 or G.S. 143B-146.5, and the
24 assistance team assigned to that school makes the recommendation to revoke or refuse to renew
25 the professional educator's license for one or more reasons established by the State Board in its
26 rules for license suspension or revocation.

27 (e) Subpoena Power. – The State Board may issue subpoenas for the purpose of
28 obtaining documents or the testimony of witnesses in connection with proceedings to suspend
29 or revoke licenses. In addition, the Board shall have the authority to contract with individuals
30 who are qualified to conduct investigations in order to obtain all information needed to assist
31 the Board in the proper disposition of allegations of misconduct by licensed persons."

32 **SECTION 3.(d)** Any professional educator license issued by the State Board of
33 Education prior to the effective date of this act shall continue in effect until the expiration of
34 that license. The State Board of Education may continue to issue lateral entry licenses for the
35 2017-2018 and 2018-2019 school years in accordance with State Board Policy LICN-001 as it
36 was in effect on the effective date of this act.

37 **SECTION 3.(e)** The State Board shall establish a three-year Educator Preparation
38 Pilot Program to operate from the 2017-2018 school year through the 2019-2020 school year.
39 Upon the recommendation of the Superintendent of Public Instruction, the State Board shall
40 select up to two new EPPs to be part of the program by October 1, 2017. These EPPs shall be
41 deemed recognized EPPs under G.S. 115C-269.1(15) for the duration of the pilot period and
42 shall be permitted to recommend clinical residency candidates for licensure without receiving
43 State approval under G.S. 115C-269.10. During the course of the pilot program, each pilot EPP
44 shall meet all other requirements of Article 17D of Chapter 115C of the General Statutes. In
45 order to be eligible for the pilot program, an EPP shall meet the following criteria:

46 (1) Meet the criteria for approval established in G.S. 115C-269.15,
47 115C-269.20, and 115C-269.25.

48 (2) Have a demonstrated track record of success with clearly demonstrated
49 results as an EPP in other states.

50 (3) Have CAEP accreditation or be in the process of attaining CAEP
51 accreditation in North Carolina or another state.

1 Each pilot EPP's recognized EPP status will expire on June 30, 2020. In order for the pilot
2 EPPs to regain recognized status, they must meet all requirements of Article 17D of Chapter
3 115C of the General Statutes.
4

5 **PART IV. BACKGROUND CHECKS AND EMPLOYEE DISMISSAL PROCEDURES**

6 **SECTION 4.(a)** G.S. 115C-218.90(b)(1) reads as rewritten:

7 "(1) If the local board of education of the local school administrative unit in
8 which a charter school is located has adopted a policy requiring criminal
9 history checks under G.S. 115C-332, then the board of directors of each
10 charter school located in that local school administrative unit shall adopt a
11 policy mirroring the local board of education policy that requires an
12 applicant for employment to be checked for a criminal history, as defined in
13 G.S. 115C-332. Each charter school board of directors shall apply its policy
14 uniformly in requiring applicants for employment to be checked for a
15 criminal history before the applicant is given an unconditional job offer. A
16 charter school board of directors may employ an applicant conditionally
17 while the board is checking the person's criminal history and making a
18 decision based on the results of the check. If the local board of education
19 adopts a policy providing for periodic checks of criminal history of
20 employees, then the board of directors of each charter school located in that
21 local school administrative unit shall adopt a policy mirroring that local
22 board of education policy. A board of directors shall indicate, upon inquiry
23 by any other local board of education, charter school, or regional school in
24 the State as to the reason for an employee's resignation or dismissal, if an
25 employee's criminal history was relevant to the employee's resignation or
26 dismissal."

27 **SECTION 4.(b)** G.S. 115C-238.73 is amended by adding a new subsection to read:

28 "(i) The board of directors may adopt a policy providing for uniform periodic checks of
29 criminal history of employees. Boards of directors shall not require employees to pay for the
30 criminal history check authorized under this subsection. A board of directors shall indicate,
31 upon inquiry by any other local board of education, charter school, or regional school in the
32 State as to the reason for an employee's resignation or dismissal. If a teacher's criminal history
33 is relevant to a teacher's resignation, the board of directors shall report to the State Board of
34 Education the reason for an employee's resignation."

35 **SECTION 4.(c)** G.S. 115C-325(f)(1) reads as rewritten:

36 "(f) (1) Suspension without Pay. – If a superintendent believes that cause exists for
37 dismissing a career employee for any reason specified in
38 G.S. 115C-325(e)(1) and that immediate suspension of the career employee
39 is necessary, the superintendent may suspend the career employee without
40 pay. Before suspending a career employee without pay, the superintendent
41 shall meet with the career employee and give him written notice of the
42 charges against him, an explanation of the bases for the charges, and an
43 opportunity to respond. However, if the teacher is incarcerated or is in the
44 custody of a local, State, private, or federal correctional facility, the
45 superintendent shall not be required to meet with the teacher before
46 suspending that teacher without pay but may instead provide written notice
47 of the charges against the teacher, provide a written explanation of the basis
48 for the charges, and provide an opportunity for the teacher to respond in
49 writing. Within five days after a suspension under this paragraph, the
50 superintendent shall initiate a dismissal, demotion, or disciplinary
51 suspension without pay as provided in this section. If it is finally determined

1 that no grounds for dismissal, demotion, or disciplinary suspension without
2 pay exist, the career employee shall be reinstated immediately, shall be paid
3 for the period of suspension, and all records of the suspension shall be
4 removed from the career employee's personnel file."

5 **SECTION 4.(d)** G.S. 115C-325(o)(2) reads as rewritten:

6 "(2) A teacher, career or probationary, who is not recommended for dismissal
7 should not resign without the consent of the superintendent unless he or she
8 has given at least 30 days' notice. If a teacher who is not recommended for
9 dismissal does resign without giving at least 30 days' notice, the board may
10 request that the State Board of Education revoke the teacher's license for the
11 remainder of that school year. A copy of the request shall be placed in the
12 teacher's personnel file. If a teacher's criminal history is relevant to the
13 teacher's resignation, regardless of whether the teacher has given at least 30
14 days' notice, the board shall report to the State Board of Education the reason
15 for an employee's resignation."

16 **SECTION 4.(e)** G.S. 115C-325.5(a) reads as rewritten:

17 "(a) Immediate Suspension Without Pay. – If a superintendent believes that cause exists
18 for dismissing a teacher for any reason specified in G.S. 115C-325.4 and that immediate
19 suspension of the teacher is necessary, the superintendent may suspend the teacher without pay.
20 Before suspending a teacher without pay, the superintendent shall meet with the teacher and
21 give him or her written notice of the charges against the teacher, an explanation of the basis for
22 the charges, and an opportunity to respond. However, if the teacher is incarcerated or is in the
23 custody of a local, State, private, or federal correctional facility, the superintendent shall not be
24 required to meet with the teacher before suspending that teacher without pay but may instead
25 provide written notice of the charges against the teacher, provide a written explanation of the
26 basis for the charges, and provide an opportunity for the teacher to respond in writing. Within
27 five days after a suspension under this subsection, the superintendent shall initiate a dismissal,
28 demotion, or disciplinary suspension without pay as provided in this section. If it is finally
29 determined that no grounds for dismissal, demotion, or disciplinary suspension without pay
30 exist, the teacher shall be reinstated immediately, shall be paid for the period of suspension, and
31 all records of the suspension shall be removed from the teacher's personnel file."

32 **SECTION 4.(f)** G.S. 115C-325.9(b) reads as rewritten:

33 "(b) Thirty Days' Notice Resignation Requirement. – A teacher who is not recommended
34 for dismissal should not resign during the term of the contract without the consent of the
35 superintendent unless he or she has given at least 30 days' notice. If a teacher who is not
36 recommended for dismissal does resign during the term of the contract without giving at least
37 30 days' notice, the board may request that the State Board of Education revoke the teacher's
38 license for the remainder of that school year. A copy of the request shall be placed in the
39 teacher's personnel file. If a teacher's criminal history is relevant to the teacher's resignation,
40 regardless of whether the teacher has given at least 30 days' notice, the board shall report to the
41 State Board of Education the reason for an employee's resignation."

42 **SECTION 4.(g)** G.S. 115C-332 is amended by adding a new subsection to read:

43 "(i) The local board of education may adopt a policy providing for periodic checks of
44 criminal history of employees. Local boards of education shall not require employees to pay for
45 the criminal history check authorized under this subsection. A local board of education shall
46 indicate, upon inquiry by any other local board of education, charter school, or regional school
47 in the State as to the reason for an employee's resignation or dismissal, if an employee's
48 criminal history was relevant to the employee's resignation or dismissal."

49
50 **PART V. ENSURE AVAILABILITY OF INFORMATION ON TEACHER**
51 **VACANCIES**

1 **SECTION 5.(a)** G.S. 115C-12(22) reads as rewritten:

2 "(22) Duty to Monitor the State of the Teaching Profession in North Carolina. –

3 a. The State Board of Education shall monitor and compile an annual
4 report on the state of the teaching profession in North Carolina that
5 includes data on the decisions of teachers to leave the teaching
6 profession. ~~The State Board shall adopt standard procedures for each~~
7 ~~local board of education to use in requesting the information from~~
8 ~~teachers who are not continuing to work as teachers in the local~~
9 ~~school administrative unit and shall require each local board of~~
10 ~~education to report the information to the State Board in a standard~~
11 ~~format adopted by the State Board.~~ profession and data on teaching
12 positions that local boards of education are unable to fill, as provided
13 in G.S. 115C-299.5.

14 b. ~~The annual teacher transition report shall include data on the~~
15 ~~following:~~

16 1. ~~The number of teachers who left the profession without~~
17 ~~remaining in the field of education and the reasons for~~
18 ~~teachers leaving the profession.~~

19 2. ~~The number of teachers who left their employment to teach in~~
20 ~~other states.~~

21 3. ~~The number of teachers who left their employment to work in~~
22 ~~another school in North Carolina, including nonpublic~~
23 ~~schools and charter schools.~~

24 4. ~~The number of teachers who left a classroom position for~~
25 ~~another type of educational position.~~

26 5. ~~The number of teachers who left employment in hard-to-staff~~
27 ~~schools. A hard-to-staff school shall be any school identified~~
28 ~~as low performing, as provided in G.S. 115C-105.37.~~

29 6. ~~The number of teachers who left employment in hard-to-staff~~
30 ~~subject areas. A hard-to-staff subject area is either of the~~
31 ~~following:~~

32 I. ~~As defined by the United States Department of~~
33 ~~Education.~~

34 H. ~~A subject area that has resulted in a long-term~~
35 ~~vacancy of 16 months or more at a particular school in~~
36 ~~a local school administrative unit.~~

37 c. ~~The annual teacher transition report by the State Board of Education~~
38 ~~shall disaggregate the data included in sub-subdivision b. of this~~
39 ~~subdivision by teacher effectiveness status at a statewide level. The~~
40 ~~report shall not disaggregate data on teacher effectiveness status at a~~
41 ~~local school administrative unit level.~~

42 ~~Notwithstanding Article 21A of this Chapter, local school~~
43 ~~administrative units shall provide to the State Board of Education for~~
44 ~~the purposes of this report any North Carolina Educator Evaluation~~
45 ~~System (NCEES) effectiveness status assigned to teachers who left~~
46 ~~employment.~~

47 ~~The State Board of Education shall not report disaggregated data~~
48 ~~that reveals confidential information in a teacher's personnel file, as~~
49 ~~defined by Article 21A of this Chapter, such as making the~~
50 ~~effectiveness status personally identifiable to an individual teacher."~~

1 **SECTION 5.(b)** Article 20 of Subchapter V of Chapter 115C of the General
2 Statutes is amended by adding a new section to read:

3 **"§ 115C-299.5. Duty to monitor the state of the teaching profession.**

4 (a) Definitions. – As used in this section, the following definitions apply:

5 (1) Hard-to-staff school. – Any school identified as low-performing, as provided
6 in G.S. 115C-105.37.

7 (2) Hard-to-staff subject area. – A subject area that is either of the following:

8 a. As defined by the United States Department of Education.

9 b. A subject area that has resulted in a long-term vacancy of 16 months
10 or more at a particular school in a local school administrative unit.

11 (b) State of the Teaching Profession Report. – The State Board of Education shall
12 monitor and compile an annual report by December 15 annually on the state of the teaching
13 profession in North Carolina that includes data on the decisions of teachers to leave the
14 teaching profession and vacancies in teaching positions as provided in subsections (c) and (e)
15 of this section. The State Board shall adopt standard procedures for each local board of
16 education to use in requesting information required by this report and shall require each local
17 board of education to report the information to the State Board in a standard format adopted by
18 the State Board.

19 (c) Teachers Leaving the Profession. – The report shall include the following data on
20 the decisions of teachers to leave the teaching profession in the prior school year:

21 (1) The number of teachers who left the profession without remaining in the
22 field of education and the reasons for teachers leaving the profession.

23 (2) The number of teachers who left their employment to teach in other states.

24 (3) The number of teachers who left their employment to work in another school
25 in North Carolina, including nonpublic schools and charter schools.

26 (4) The number of teachers who left a classroom position for another type of
27 educational position.

28 (5) The number of teachers who left employment in hard-to-staff schools.

29 (6) The number of teachers who left employment in hard-to-staff subject areas.

30 (d) The annual teacher transition report by the State Board of Education shall
31 disaggregate the data included in subsection (c) of this section by teacher effectiveness status at
32 a statewide level. The report shall not disaggregate data on teacher effectiveness status at a
33 local school administrative unit level. Notwithstanding Article 21A of this Chapter, local
34 school administrative units shall provide to the State Board of Education, for the purposes of
35 this report, any North Carolina Educator Evaluation System (NCEES) effectiveness status
36 assigned to teachers who left employment. The State Board of Education shall not report
37 disaggregated data that reveals confidential information in a teacher's personnel file, as defined
38 by Article 21A of this Chapter, such as making the effectiveness status personally identifiable
39 to an individual teacher.

40 (e) Teacher Vacancies. – The report shall include data on teaching positions that local
41 boards of education are unable to fill with a teacher licensed in that subject area by the fortieth
42 school instructional day of the local school administrative unit's calendar. The report shall
43 aggregate all data to provide both statewide information and information specific to each local
44 school administrative units, including the following:

45 (1) The number of teacher vacancies by subject area.

46 (2) The number of teacher vacancies by school with identification of
47 hard-to-staff schools."

48 **SECTION 5.(c)** The State Board of Education shall complete the first annual
49 report on the state of the teaching profession, including information on vacancies in the
50 teaching profession, no later than December 15, 2017.

51

PART VI. CONFORMING CHANGES

SECTION 6.(a) G.S. 93B-15.1(i) reads as rewritten:

"(i) For the purposes of this section, the State Board of Education shall be considered an occupational licensing board when issuing teacher licenses under G.S. 115C-296. Article 17E of Subchapter V of Chapter 115C of the General Statutes."

SECTION 6.(b) G.S. 115C-296.7(g) reads as rewritten:

"(g) NC Teaching Corps members shall be granted ~~lateral entry teaching residency~~ licenses pursuant to G.S. 115C-296.12(a). Article 17E of this Chapter."

SECTION 6.(c) G.S. 115C-325.1(6)a. reads as rewritten:

"a. Who holds ~~at least one of the following licenses issued by the State Board of Education:~~

~~1. A current standard professional educator's license.~~

~~2. A current lateral entry teaching license.~~

~~3. A regular, not expired, vocational license."~~

SECTION 6.(d) G.S. 115C-325.4(a)(11) reads as rewritten:

"(11) Any cause which constitutes grounds for the revocation of the ~~teacher's teaching license or the school administrator's administrator~~ professional educator's license."

SECTION 6.(e) G.S. 115C-333(d) reads as rewritten:

"(d) State Board Notification. – If a local board dismisses an employee of a low-performing school who is a teacher with career status for any reason except a reduction in force under G.S. 115C-325(e)(1)l., or dismisses an employee who is a teacher on contract for cause or elects to not renew an employee's contract as a result of a superintendent's recommendation under subsection (b) or (c) of this section, it shall notify the State Board of the action, and the State Board annually shall provide to all local boards the names of those individuals. If a local board hires one of these individuals, within 60 days the superintendent or the superintendent's designee shall observe the employee, develop a mandatory improvement plan to assist the employee, and submit the plan to the State Board. The State Board shall review the mandatory improvement plan and may provide comments and suggestions to the superintendent. If on the next evaluation the employee receives a rating on any standard that was identified as an area of concern on the mandatory improvement plan that is again below proficient or otherwise represents unsatisfactory or below standard performance, the local board shall notify the State Board and the State Board shall initiate a proceeding to revoke the employee's license under ~~G.S. 115C-296(d).~~ G.S. 115C-270.35. If on this next evaluation the employee receives at least a proficient rating on all of the performance standards that were identified as areas of concern on the mandatory improvement plan, the local board shall notify the State Board that the employee is in good standing and the State Board shall not continue to provide the individual's name to local boards under this subsection unless the employee is a teacher with career status and is subsequently dismissed under G.S. 115C-325 except for a reduction in force, or the employee is a teacher on contract subsequently dismissed under G.S. 115C-325.4."

SECTION 6.(f) G.S. 115C-333.1(f) reads as rewritten:

"(f) State Board Notification. – If a local board dismisses a teacher with career status for any reason except a reduction in force under G.S. 115C-325(e)(1)l., or dismisses a teacher on contract for cause or elects to not renew a teacher's contract as a result of a superintendent's recommendation under subsection (d) of this section, it shall notify the State Board of the action, and the State Board annually shall provide to all local boards the names of those teachers. If a local board hires one of these teachers, within 60 days the superintendent or the superintendent's designee shall observe the teacher, develop a mandatory improvement plan to assist the teacher, and submit the plan to the State Board. The State Board shall review the mandatory improvement plan and may provide comments and suggestions to the

1 superintendent. If on the next evaluation the teacher receives a rating on any standard that was
2 an area of concern on the mandatory improvement plan that is again below proficient or a
3 rating that otherwise represents unsatisfactory or below standard performance, the local board
4 shall notify the State Board, and the State Board shall initiate a proceeding to revoke the
5 teacher's license under ~~G.S. 115C-296(d)~~.G.S. 115C-270.35. If on the next evaluation the
6 teacher receives at least a proficient rating on all of the overall performance standards that were
7 areas of concern on the mandatory improvement plan, the local board shall notify the State
8 Board that the teacher is in good standing, and the State Board shall not continue to provide the
9 teacher's name to local boards under this subsection unless the teacher has career status and is
10 subsequently dismissed under G.S. 115C-325 except for a reduction in force or is a teacher on
11 contract who is subsequently dismissed under G.S. 115C-325.4. If, however, on this next
12 evaluation the teacher receives a developing rating on any standards that were areas of concern
13 on the mandatory improvement plan, the teacher shall have one more year to bring the rating to
14 proficient if the local board elects to renew the teacher's contract. If by the end of this second
15 year the teacher is not proficient in all standards that were areas of concern on the mandatory
16 improvement plan, the local board shall notify the State Board, and the State Board shall
17 initiate a proceeding to revoke the teacher's license under
18 ~~G.S. 115C-296(d)~~.G.S. 115C-270.35."

19 **SECTION 6.(g)** G.S. 115D-5(p) reads as rewritten:

20 "(p) The North Carolina Community College System may offer courses, in accordance
21 with ~~the lateral entry program of study established under G.S. 115C-296.12, Article 17D of~~
22 Subchapter V of Chapter 115C of the General Statutes, to individuals who choose to enter the
23 teaching profession ~~by lateral entry through residency licensure.~~"

24 **SECTION 6.(h)** G.S. 116-239.5(a) reads as rewritten:

25 "(a) The Board of Governors, in consultation with the constituent institutions of The
26 University of North Carolina with educator preparation programs, shall designate eight
27 constituent institutions to establish laboratory schools to serve public school students in
28 accordance with the provisions of this Article. The Board of Governors shall select eight
29 constituent institutions with quality educator preparation programs as demonstrated by the
30 annual performance measures reported by the constituent institutions in accordance with
31 ~~G.S. 115C-296.13~~.G.S. 115C-269.35."

32 **SECTION 6.(i)** G.S. 116-239.13(5) reads as rewritten:

33 "(5) Information on the student outcomes for students who are enrolled in each
34 educator preparation program who obtained clinical experience in school
35 leadership and teaching in the lab schools, including the performance
36 elements reported under ~~G.S. 115C-296.13(b)~~.G.S. 115C-269.35."

37 **SECTION 6.(j)** If House Bill 155, 2017 Regular Session, becomes law,
38 G.S. 115C-325(f)(1), as amended by Section 4(c) of this act, reads as rewritten:

39 "(f) (1) Suspension without Pay. – If a superintendent believes that cause exists for
40 dismissing a career employee for any reason specified in
41 G.S. 115C-325(e)(1) and that immediate suspension of the career employee
42 is necessary, the superintendent may suspend the career employee without
43 pay. Before suspending a career employee without pay, the superintendent
44 shall meet with the career employee and give him written notice of the
45 charges against him, an explanation of the bases for the charges, and an
46 opportunity to respond. However, if the ~~teacher-career employee~~ is
47 incarcerated or is in the custody of a local, State, private, or federal
48 correctional facility, the superintendent shall not be required to meet with the
49 ~~teacher-career employee~~ before suspending that ~~teacher-employee~~ without
50 pay but may instead provide written notice of the charges against the
51 ~~teacher-employee~~, provide a written explanation of the basis for the charges,

1 and provide an opportunity for the ~~teacher-employee~~ to respond in writing.
2 Within five days after a suspension under this paragraph, the superintendent
3 shall initiate a dismissal, demotion, or disciplinary suspension without pay as
4 provided in this section. If it is finally determined that no grounds for
5 dismissal, demotion, or disciplinary suspension without pay exist, the career
6 employee shall be reinstated immediately, shall be paid for the period of
7 suspension, and all records of the suspension shall be removed from the
8 career employee's personnel file."

9 **SECTION 6.(k)** If House Bill 155, 2017 Regular Session, becomes law,
10 G.S. 115C-325(o)(2), as amended by Section 4(d) of this act, reads as rewritten:

11 "(2) A ~~teacher, career or probationary, career employee~~ who is not recommended
12 for dismissal should not resign without the consent of the superintendent
13 unless he or she has given at least 30 days' notice. If a ~~teacher-career~~
14 ~~employee~~ who is not recommended for dismissal does resign without giving
15 at least 30 days' notice, the board may request that the State Board of
16 Education revoke the ~~teacher's-career employee's~~ license for the remainder
17 of that school year. A copy of the request shall be placed in the ~~teacher's~~
18 ~~career employee's~~ personnel file. If a ~~teacher's-career employee's~~ criminal
19 history is relevant to the ~~teacher's-employee's~~ resignation, regardless of
20 whether the ~~teacher-employee~~ has given at least 30 days' notice, the board
21 shall report to the State Board of Education the reason for an employee's
22 resignation."

23 **SECTION 6.(l)** If House Bill 155, 2017 Regular Session, becomes law, Section
24 2(f) of that act is repealed.

25 **PART VII. EFFECTIVE DATE**

26 **SECTION 7.(a)** This act is effective when it becomes law and applies beginning
27 with the 2017-2018 school year.

28 **SECTION 7.(b)** Any rules required by this act shall be adopted by February 1,
29 2018.

30 **SECTION 7.(c)** The State Board shall accept applications from EPPs for initial
31 approval no later than March 1, 2018, for EPPs applying to accept students in the 2018-2019
32 school year.

33 **SECTION 7.(d)** An EPP approved by the State Board prior to July 1, 2017, shall
34 be considered initially authorized until the earlier of June 30, 2020, or the date of its five-year
35 renewal.

36 **SECTION 7.(e)** All EPPs operating in the State on June 30, 2018, or thereafter
37 shall submit annual performance reports beginning with the 2018-2019 school year. The State
38 Board shall monitor the data quality of the annual performance reports, including checking for
39 statistical anomalies, data availability, and any other issues the State Board deems relevant. The
40 State Board shall report on its monitoring and recommend any legislative changes to the Joint
41 Legislative Education Oversight Committee by December 15, 2020.

42 **SECTION 7.(f)** The State Board shall not assign an accountability status to any
43 EPP during the 2018-2019, 2019-2020, or 2020-2021 school years but may require technical
44 assistance to an EPP at the EPP's expense based on reported performance measures. The State
45 Board shall only assign the accountability statuses of "warned" and "probation" during the
46 2021-2022 and 2022-2023 school years. The State Board may assign the accountability status
47 of "revoked" beginning with the 2023-2024 school year.
48