

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 578

Short Title: Repeal Old Certification Laws.

(Public)

Sponsors: Representatives Diamont; and Walker.

Referred to: Education.

March 14, 1989

A BILL TO BE ENTITLED

AN ACT TO REPEAL ARCHAIC PROVISIONS OF THE TEACHER
CERTIFICATION LAWS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-284 reads as rewritten:

"§ 115C-284. Method of selection and requirements.

(a) Principals and supervisors shall be elected by the local boards of education upon the recommendation of the superintendent, in accordance with the provisions of G.S. 115C-276(j).

(b) In the city administrative units, principals shall be elected by the board of education of such administrative unit upon the recommendation of the superintendent of city schools.

(c) The State Board of Education shall have entire control of certifying all applicants for supervisory and professional positions in all public elementary and high schools of North Carolina; and it shall prescribe the rules and regulations for the renewal and extension of all certificates, and shall determine and fix the salary for each grade and type of certificate which it authorizes. Provided, that the State Board of Education shall require each applicant for an initial certificate or graduate certificate to demonstrate his academic and professional preparation by achieving a prescribed minimum score at least equivalent to that required by the Board on November 30, 1972, on a standard examination appropriate and adequate for that purpose: Provided, further, that in the event the Board shall specify the National Teachers Examination for this purpose, the required minimum score shall not be lower than that which the Board required on November 30, 1972.

~~(d) No certificate issued by the Board shall be valid until approved and signed by the superintendent of the local school administrative unit in which the holder of said certificate resides, or contracts to teach, and the certificate when so approved shall be of statewide validity. Should any superintendent refuse to approve and sign any such certificate, he shall notify the State Board of Education and state in writing the reasons for such refusal. The said Board shall have the right, upon appeal by the holder of said certificate, to review and investigate and finally determine the matter.~~

(d1) It is the policy of the State of North Carolina that, subsequent to the adoption of a system of classroom teacher differentiation and prerequisites to candidacy for principal, a classroom teacher must have attained at least the second level of differentiation, have at least four years of classroom teaching experience, and possess, at least, a Masters Degree in Education Administration. This subsection shall not apply to educational personnel certified as of July 1, 1984.

(e) It shall be unlawful for any board of education to employ or keep in service any principal or supervisor who neither holds nor is qualified to hold a certificate in compliance with the provision of the law or in accordance with the regulations of the State Board of Education.

(f) The allotment of classified principals shall be one principal for each duly constituted school with seven or more state-allotted teachers and shall be included in the calculation of the allotment of general teachers set out in G.S. 115C-301(b)(i).

(g) Local boards of education shall have authority to employ supervisors in addition to those that may be furnished by the State when, in the discretion of the board of education, the schools of the local school administrative unit can thereby be more efficiently and more economically operated and when funds for the same are provided in the current expense fund budget. The duties of such supervisors shall be assigned by the superintendent with the approval of the board of education.

(h) All principals and supervisors employed in the public schools of the State or in schools receiving public funds, shall be required either to hold or be qualified to hold a certificate in compliance with the provision of the law or in accordance with the regulations of the State Board of Education: Provided, that nothing herein shall prevent the employment of temporary personnel under such rules as the State Board of Education may prescribe."

Sec. 2. G.S. 115C-297 is repealed.

Sec. 3. G.S. 115C-315 reads as rewritten:

"§ 115C-315. Hiring of school personnel.

(a) Janitors and Maids. – In the city administrative units, janitors and maids shall be appointed by the board of education of such local school administrative unit upon the recommendation of the superintendent.

(b) Election by Local Boards. – School personnel shall be elected by the local board of education upon the recommendation of the superintendent, in accordance with the provisions of G.S. 115C-276(j).

It is the policy of the State of North Carolina to encourage and provide for the most efficient and cost-effective method of meeting the needs of local school administrative units for noncertified support personnel. To this end, the State Board of Education shall

1 recommend to the General Assembly by November 1, 1984, a system using factors and
2 formulas to determine the total number of noncertified support personnel allotted to
3 local school administrative units. The recommended system for allotting noncertified
4 support personnel shall include the proposed State's funding obligation for these
5 positions and shall be developed in consultation with school-based support personnel or
6 their representatives.

7 (c) Prerequisites for Employment. – All professional personnel employed in the
8 public schools of the State or in schools receiving public funds shall be required either
9 to hold or be qualified to hold a certificate in compliance with the provision of the law
10 or in accordance with the regulations of the State Board of Education: Provided, that
11 nothing herein shall prevent the employment of temporary personnel under such rules as
12 the State Board of Education may prescribe.

13 (d) Certification for Professional Positions. – The State Board of Education shall
14 have entire control of certifying all applicants for professional positions in all public
15 elementary and high schools of North Carolina; and it shall prescribe the rules and
16 regulations for the renewal and extension of all certificates and shall determine and fix
17 the salary for each grade and type of certificate which it authorizes: Provided, that the
18 State Board of Education shall require each applicant for an initial certificate or
19 graduate certificate to demonstrate his or her academic and professional preparation by
20 achieving a prescribed minimum score at least equivalent to that required by the Board
21 on November 30, 1972, on a standard examination appropriate and adequate for that
22 purpose: Provided, further, that in the event the Board shall specify the National
23 Teachers Examination for this purpose, the required minimum score shall not be lower
24 than that which the Board required on November 30, 1972.

25 ~~(e) Local Approval of Certificate Required. – No certificate issued by the Board~~
26 ~~shall be valid until approved and signed by the superintendent of the administrative unit~~
27 ~~in which the holder of said certificate resides, or contracts to teach, and the certificate~~
28 ~~when so approved shall be of statewide validity. Should any superintendent refuse to~~
29 ~~approve and sign any such certificate, he shall notify the State Board of Education and~~
30 ~~state in writing the reasons for such refusal. The said Board shall have the right, upon~~
31 ~~appeal by the holder of said certificate, to review and investigate and finally determine~~
32 ~~the matter.~~

33 (f) Employing Persons Not Holding Nor Qualified to Hold Certificate. – It shall
34 be unlawful for any board of education to employ or keep in service any professional
35 person who neither holds nor is qualified to hold a certificate in compliance with the
36 provisions of the law or in accordance with the regulations of the State Board of
37 Education."

38 Sec. 4. This act is effective upon ratification