

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 460

Short Title: Administrator Standards Board Changes.

(Public)

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Sponsors: Senators Hartsell, Smith, Warren, and Winner.

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Referred to: Education/Higher Education

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March 22, 1995

A BILL TO BE ENTITLED

1 AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO LAWS  
2 CONCERNING THE SCHOOL ADMINISTRATOR STANDARDS BOARD AND  
3 TO EXTEND TO 1998 THE DATE FOR IMPLEMENTATION OF THE  
4 STANDARDS BOARD EXAM.  
5

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 115C-290.2 reads as rewritten:

8 **"§ 115C-290.2. Definitions.**

9 The following definitions apply in this Article:

10 (1) Standards Board. – The North Carolina Standards Board for Public  
11 School Administration.

12 (2) Exam. – The North Carolina Public School Administrator Exam.

13 (3) School administrator. – Public school superintendents, deputy  
14 superintendents, associate superintendents, assistant superintendents,  
15 principals, and assistant principals."

16 Sec. 2. G.S. 115C-290.3 reads as rewritten:

17 **"§ 115C-290.3. False representation of ~~qualifications~~ prohibited.**

18 It is unlawful for a person whom the Standards Board has not ~~qualified-recommended~~  
19 for certification as a public school administrator to represent himself or herself as having  
20 been ~~qualified-recommended~~ by the Standards Board or to hold himself or herself out to

1 the public by any title or description denoting that he or she has been ~~qualified~~  
2 recommended by the ~~Standards Board~~ Board for certification. A person who violates this  
3 section is guilty of a Class 2 misdemeanor."

4 Sec. 2.1. G.S. 115C-290.4 reads as rewritten:

5 **"§ 115C-290.4. North Carolina Standards Board for Public School Administration;**  
6 **appointments; terms; composition.**

7 (a) The North Carolina Standards Board for Public School Administration is  
8 created. The Standards Board shall be located for administrative purposes in the Office  
9 of the Governor. The Standards Board shall exercise its powers independently of that  
10 Office.

11 (b) The Standards Board shall consist of seven members appointed by the  
12 Governor as follows:

- 13 (1) Two local superintendents employed by a local school administrative  
14 unit.
- 15 (2) Three principals employed by a local school administrative unit.
- 16 (3) One dean of a school of education or a designee.
- 17 (4) One representative of the public at large.

18 Composition of the Standards Board as to the race and sex of its members shall reflect  
19 the composition of the population of the State. Members of the Standards Board shall be  
20 residents of the State and shall each reside in a different congressional district.

21 With the exception of the member representing the public at large, each member must  
22 be qualified under this Article, and must be actively engaged in the practice of public  
23 school administration or in the education and training of students in public school  
24 administration. Before their appointment to the Standards Board, these professional  
25 Standards Board members must have been actively engaged in the practice of public  
26 school administration or in the education and training of students in public school  
27 administration for at least three years, at least two of which occurred primarily in this  
28 State.

29 (c) The Governor may only remove a member of the Standards Board for neglect  
30 of duty, malfeasance, or conviction of a felony or other crime of moral turpitude.

31 (d) Effective July 1, 1993, the Governor shall appoint one superintendent, two  
32 principals, and the dean of a school of education for terms of three years, and one  
33 superintendent, one principal, and the representative of the public for terms of two years.  
34 Thereafter the terms shall be for three years. Each term of service on the Standards  
35 Board shall expire on the 30th day of June of the year in which the term expires. No  
36 member shall serve more than two consecutive three-year terms. As the term of a  
37 member expires, the Governor shall make the appointment for a full term, or, if a vacancy  
38 occurs for any other reason, for the remainder of the unexpired term.

39 (e) Members of the Standards Board shall receive compensation for their services  
40 and reimbursement for expenses incurred in the performance of duties required by this  
41 Article, at the rates prescribed in G.S. 93B-5.

1 (f) The Standards Board shall elect from its membership a chairperson, a vice-  
2 chairperson, and a secretary-treasurer, and adopt rules to govern its proceedings. All  
3 members are voting members, and a majority of the membership constitutes a quorum.

4 (g) The Standards Board may employ, subject to Chapter 126 of the General  
5 Statutes, the necessary personnel for the performance of its functions, and fix their  
6 compensation within the limits of funds available to the Standards Board."

7 Sec. 3. G.S. 115C-290.5(a) reads as rewritten:

8 "(a) The Standards Board shall administer this Article. In fulfilling this duty, the  
9 Standards Board shall:

10 (1) Develop and implement a North Carolina Public School Administrator  
11 Exam, based on the professional standards established by the Standards  
12 Board.

13 (2) Establish and collect an application fee not to exceed fifty dollars  
14 (\$50.00), and an exam fee not to exceed one hundred fifty dollars  
15 (\$150.00). Fees collected under this Article shall be credited to the  
16 General Fund as nontax revenue.

17 (3) Review the educational achievements of an applicant to take the exam  
18 to determine whether the achievements meet the requirements set by  
19 G.S. 115C-290.7.

20 (4) Notify the State Board of Education of the names and addresses of the  
21 persons who passed the exam and are thereby ~~qualified-recommended~~  
22 to be certified as public school administrators by the State Board of  
23 Education.

24 (5) Maintain accounts and records in accordance with the Executive Budget  
25 Act, Article 1 of Chapter 143 of the General Statutes.

26 (6) Adopt rules in accordance with Chapter 150B of the General Statutes to  
27 implement this Article.

28 (7) Submit an annual report by December 1 of each year to the Joint  
29 Legislative Education Oversight Committee of its activities during the  
30 preceding year, together with any recommendations and findings  
31 regarding improvement of the profession of public school  
32 administration."

33 Sec. 4. G.S. 115C-290.6 reads as rewritten:

34 "**§ 115C-290.6. Application for ~~qualification by~~ to the Standards Board.**

35 An individual who seeks to be ~~qualified-recommended by~~ the Standards Board ~~as a~~  
36 ~~public school administrator, thereby becoming eligible~~ for certification by the State Board of  
37 Education, shall file a written application with the Standards Board. The application  
38 must be on a form provided by the Standards Board, must be accompanied by the  
39 required application and exam fees established by the Standards Board, and must include  
40 any information required by the Standards Board."

41 Sec. 5. G.S. 115C-290.7 reads as rewritten:

42 "**§ 115C-290.7. ~~Qualification-Recommendation~~ by the Standards Board.**

1 (a) The Standards Board shall ~~qualify~~ recommend for certification by the State  
2 Board an individual who submits a complete application to the Standards Board and  
3 satisfies all of the following requirements:

4 (1) Pays the application fee established by the Standards Board.

5 (2) Pays the exam fee established by the Standards Board.

6 (3) Has a bachelors degree from an accredited college or university and has  
7 a graduate degree from a public school administration program that  
8 meets the public school administrator program approval standards set by  
9 the State Board of Education.

10 (4) Passes the exam.

11 (b) The State Board of Education may not certify an individual as a public school  
12 administrator unless it has received notice from the Standards Board ~~of the individual's~~  
13 ~~qualification that the person is recommended by the Standards Board~~ under this Article.  
14 The State Board may designate initial certification as a license; advanced training may be  
15 designated as a certified area of practice."

16 Sec. 6. G.S. 115C-290.8 reads as rewritten:

17 "**§ 115C-290.8. Exemptions from ~~qualification~~ requirements.**

18 The ~~qualification~~ requirements of this Article do not apply to a person who, at any  
19 time during the five years preceding January 1, ~~1997, 1998,~~ was engaged in public school  
20 administration at either a public school in North Carolina or a school in North Carolina  
21 operated by the United States government. A person who is exempt from the ~~qualification~~  
22 requirements of this Article but applies ~~for qualification to the Standards Board~~ under this  
23 Article ~~shall be is~~ subject to ~~it~~ the Article."

24 Sec. 7. G.S. 115C-290.9 reads as rewritten:

25 "**§ 115C-290.9. Grounds for refusal to ~~qualify~~ recommend a person.**

26 The Standards Board may, in accordance with Chapter 150B of the General Statutes,  
27 refuse to ~~qualify~~ recommend a person for certification by the State Board of Education for  
28 any of the following reasons:

29 (1) Submitting a false application ~~for qualification~~ or otherwise attempting  
30 to obtain ~~qualification~~ a recommendation from the Standards Board by  
31 fraud or misrepresentation.

32 (2) Failure to meet the requirements set in G.S. 115C-290.7.

33 (3) Violating a provision of this Article or a rule adopted by the Standards  
34 Board."

35 Sec. 8. Section 5 of Chapter 392 of the 1993 Session Laws reads as rewritten:

36 "Sec. 5. G.S. 115C-290.3 and G.S. 115C-290.6 through G.S. ~~115C-290.10, 115C-~~  
37 ~~290.9,~~ as established in Section 1 of this act, become effective January 1, ~~1997, 1998.~~  
38 The remaining provisions of Article 19A of Chapter 115C, as established in Section 1 of  
39 this act, and the remaining sections of this act are effective upon ratification.  
40 Notwithstanding G.S. 115C-290.4, members appointed to the North Carolina Standards  
41 Board for Public School Administration before January 1, ~~1997, 1998,~~ are not required to  
42 be qualified under Article 19A of Chapter 115C of the General Statutes, as enacted by  
43 this act."

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Sec. 9. This bill is effective upon ratification.