

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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HOUSE BILL 428

Short Title: Teacher Licensure/Retired Educator Program. (Public)

Sponsors: Representatives Elmore, Brody, Miller, and Clemmons (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Education - K-12, if favorable, Pensions and Retirement, if favorable, Rules,  
Calendar, and Operations of the House

March 30, 2021

1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE CHANGES TO TEACHER LICENSURE REQUIREMENTS AND TO  
3 EXTEND AND EXPAND THE PROGRAM TO ALLOW RETIRED EDUCATORS TO  
4 RETURN TO WORK IN HIGH-NEED SCHOOLS.

5 The General Assembly of North Carolina enacts:

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7 **PART I. TEACHER LICENSURE CHANGES**

8 **SECTION 1.1.(a)** G.S. 115C-270.20(a)(4a) reads as rewritten:

9 "(4a) Limited license. – A three-year ~~nonrenewable~~ renewable license issued to an  
10 individual who meets the requirements of this subdivision. A limited license  
11 shall only be requested by the local board of education currently employing  
12 or seeking to employ the individual and shall be used for continued  
13 employment only in that local school administrative unit. The State Board  
14 shall not require individuals to demonstrate preparation through achieving a  
15 prescribed minimum score on a standardized examination for a limited  
16 license. To receive a limited license, one of the following shall be met:

17 a. In-state licensee. – Both of the following are met:

- 18 1. The individual was issued an IPL or RL, but failed to fulfill  
19 examination requirements under G.S. 115C-270.15 after three  
20 years of licensure.  
21 2. The local board of education submits to the State Board an  
22 affidavit stating that the teacher is currently employed by that  
23 local board, is an effective teacher, and will be encouraged to  
24 continue to pursue a CPL. The affidavit shall be signed by both  
25 the principal and superintendent for the school to which the  
26 teacher is currently assigned.

27 b. Out-of-state licensee. – Both of the following are met:

- 28 1. The individual holds current teacher licensure in another state  
29 that is in good standing.  
30 2. The local board of education submits to the State Board an  
31 affidavit stating that the local board seeks to employ the  
32 teacher, that the teacher has been employed as a licensed  
33 teacher in another state for at least three years, and that the  
34 teacher will be encouraged to pursue an IPL or CPL, as



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1 appropriate for that teacher. The affidavit shall be signed by  
2 the superintendent for the local board of education seeking to  
3 employ the teacher.

4 For renewal of a limited license, the local board of education shall evaluate  
5 the teacher's effectiveness every three years. For teachers that teach subjects  
6 that use the Education Value-Added Assessment System (EVAAS), the data  
7 must demonstrate that the teacher meets or exceeds expectations of growth as  
8 measured by EVAAS, if available."

9 **SECTION 1.1.(b)** This section applies (i) to any teacher who holds a limited license  
10 as nonrenewable as of the date this act becomes law and (ii) beginning with applications  
11 submitted on or after the date this act becomes law.

12 **SECTION 1.2.(a)** The State Board of Education, in consultation with the  
13 Department of Public Instruction and the Professional Educator Preparation and Standards  
14 Commission (PEPSC), shall develop an alternative to the examination requirements for  
15 conversion from an initial professional license (IPL) and a residency license (RL) to a continuing  
16 professional license (CPL) under G.S. 115C-270.15. The alternative to the examination shall  
17 provide for a process to accommodate different circumstances in which the examination may not  
18 be required or be the most appropriate or efficient pathway of evaluating a teacher's readiness or  
19 effectiveness for licensure.

20 In addition, the State Board, in consultation with the Department and PEPSC, shall  
21 examine issues related to licensure classes and teacher salary, including ways to increase  
22 recruitment and retention by directly corresponding classes of licensure with amount of  
23 compensation. In conducting the study, the State Board shall identify any changes in State law  
24 necessary for any proposed recommendations resulting from the findings.

25 **SECTION 1.2.(b)** By February 15, 2022, the State Board, in consultation with the  
26 Department and PEPSC, shall report to the Joint Legislative Education Oversight Committee on  
27 (i) the development of the alternative to examination requirements for conversion of IPLs and  
28 RLs to CPLs, (ii) any proposed salary incentives tied to classes of licensure, and (iii) any  
29 legislative changes needed for implementation of the recommendations.

## 30 31 **PART II. EXTEND AND EXPAND THE PROGRAM TO ALLOW RETIRED** 32 **EDUCATORS TO RETURN TO WORK IN HIGH-NEED SCHOOLS**

33 **SECTION 2.(a)** Section 6 of S.L. 2019-110 reads as rewritten:

34 "**SECTION 6.** This act becomes effective July 1, 2019, and expires June 30, ~~2021~~2024."

35 **SECTION 2.(b)** Subsection (f) of Section 7 of S.L. 2019-212 reads as rewritten:

36 "**SECTION 7.(f)** This section becomes effective July 1, 2019, and expires June 30,  
37 ~~2021~~2024."

38 **SECTION 2.(c)** G.S. 115C-302.4 reads as rewritten:

39 "**§ 115C-302.4. High-need retired teachers.**

40 (a) Definitions. – The following definitions apply in this ~~section~~section, unless the  
41 context requires otherwise:

42 (1) High-need retired teacher. – A teacher who is a beneficiary of the Teachers'  
43 and State Employees' Retirement System of North Carolina who meets both  
44 of the following requirements:

45 a. Retired on or before February 1, 2019, after attaining (i) the age of at  
46 least 65 with five years of creditable service, (ii) the age of at least 60  
47 with 25 years of creditable service, or (iii) 30 years of creditable  
48 service.

49 b. Is reemployed by a local board of education ~~to provide classroom~~  
50 ~~instruction~~ as a teacher, as defined in G.S. 135-1(25), employed on an

- 1 annual contract ~~to provide classroom instruction~~ exclusively at a  
 2 high-need school or schools.
- 3 (2) High-need school. – A school that, at any point on or after July 1, 2017, meets  
 4 one of the following criteria:
- 5 a. Is a Title I school. As used in this sub-subdivision, a Title I school is a  
 6 school identified under Part A of Title I of the Elementary and  
 7 Secondary Education Act of 1965, as amended.
- 8 b. Receives an overall school performance grade of D or F, as calculated  
 9 by the State Board of Education pursuant to G.S. 115C-83.15(d).
- 10 (3) STEM. – Science, technology, engineering, and mathematics.
- 11 (4) Teacher. – Licensed personnel who are classified as teachers or instructional  
 12 support personnel.
- 13 (b) Salary Level. – A high-need retired teacher shall be compensated as follows:
- 14 (1) Except as provided in subdivision (2) of this subsection, a high-need retired  
 15 teacher shall be paid on the first step of the teacher salary schedule.
- 16 (2) If a high-need retired teacher ~~serves as a teacher in any of the following~~  
 17 licensure areas, meets any of the following criteria, he or she shall be paid on  
 18 the sixth step of the teacher salary schedule:
- 19 a. Provides classroom instruction in any of the following licensure areas:  
 20 ~~a.1.~~ STEM.  
 21 ~~b.2.~~ Special education.
- 22 b. Is any of the following:
- 23 1. A school psychologist.  
 24 2. A school speech pathologist who is licensed as a speech  
 25 pathologist at the master's degree level or higher.  
 26 3. A school audiologist who is licensed as an audiologist at the  
 27 master's degree level or higher.
- 28 (c) No State Salary Supplements or Increase in Salary. – A high-need retired teacher shall  
 29 not receive any State salary supplement or State bonus. A high-need retired teacher shall not  
 30 move beyond the salary steps prescribed by subsection (b) of this section, regardless of the length  
 31 of time spent as a high-need retired teacher.
- 32 (d) Local Salary Supplement. – A high-need retired teacher shall receive any local salary  
 33 supplements that are given to employees of the local board of education.
- 34 (e) Term of Contract. – A contract between the local board of education and a high-need  
 35 retired teacher shall be for a term of no more than one school year.
- 36 (f) Identification of STEM and Special Education Licensure Areas. – The Superintendent  
 37 of Public Instruction shall identify and provide to each local school administrative unit a list of  
 38 STEM and special education licensure areas that qualify for reemployment pursuant to  
 39 subdivision (b)(2) of this section. Local school administrative units shall make the list of STEM  
 40 and special education licensure areas available to high-need retired teachers."

41 **SECTION 2.(d)** Section 5(d) of S.L. 2019-110, as amended by Section 7(c) of S.L.  
 42 2019-212, reads as rewritten:

43 "**SECTION 5.(d)** Any beneficiary that is employed ~~to teach~~ by a local board of education  
 44 as a high-need retired teacher, as defined in G.S. 115C-302.4(a)(1), shall not be eligible to elect  
 45 into a position that would lead him or her to be eligible to accrue any additional benefits under  
 46 G.S. 135-3(8). Any failure of a local board of education or a beneficiary to comply with the  
 47 foregoing shall be corrected by the Retirement System as it determines may be appropriate under  
 48 State and federal law. Any costs of the correction, as determined by the Retirement System, shall  
 49 be the sole responsibility of the local board of education and shall be transferred to the Pension  
 50 Accumulation Fund under G.S. 135-8, under rules adopted by the Board of Trustees."

1                   **SECTION 2.(e)** This section is effective when this act becomes law and expires June  
2 30, 2024.

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4 **PART III. EFFECTIVE DATE**

5                   **SECTION 3.** Except as otherwise provided, this act is effective when it becomes  
6 law.