Rule-making Agency: State Board of Education

Rule Citation: 16 NCAC 06A .0104; 06B .0109-.0114; 06C .0316-.0333, .0701; 06D .0107, .0211, .0212, .0307-.0313; 06E .0106, .0107, .0204-.0206; 06G .0314-.0316, .0503-.0524; 06H .0113-.0117; and 06K .0101-.0105

Effective Date: August 20, 2019

Findings Reviewed and Approved by the Codifier: August 12, 2019

Reason for Action: On July 22, 2019, HB 362 (SL 2019-154)-An Act to Adopt a Fifteen-Point Scale in the Determination of School Performance Grades, To Require the State Board of Education to Adopt Emergency Rules in Preparation for Permanent Rule Making and To Direct the State Board of Education to Study the Reporting Methods used for School Accountability Purposes on the North Carolina Annual Report Cards became law. Section 27.(b) of SL 2019-154 states that, "The General Assembly finds that the North Carolina Supreme Court, in North Carolina State Board of Education v. State of North Carolina and the North Carolina Rules Review Commission, No. 110PA16-2 (June 8, 2018), affirmed the authority of the General Assembly to delegate authority to the Rules Review Commission to review and approve the administrative rules that are proposed by the State Board of Education for codification. To ensure that administration of the free public schools shall continue without interruption, the existing policies of the State Board of Education subject to rule making as provided in Chapter 150B of the General Statutes shall be deemed interim rules so long as they do not conflict with any provisions of the General Statutes."

Section 27.(b)(1) of SL 2019-154 states that, "The State Board of Education shall adopt all interim rules as emergency rules and submit those rules to the Codifier of Rules no later than August 9, 2019."

Accordingly, in open session of its August 8, 2019 meeting, the State Board of Education adopted as "emergency rules" those interim rules in its existing policy manual. Presently, it is the Board’s intention to adopt these emergency rules as permanent rules by May 30, 2020, in a manner consistent with SL 2019-154 and the Administrative Procedure Act. The Board expects to submit a notice for publication of text to adopt the emergency rules as permanent rule by December 6, 2019.

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*Provided for Reference Purposes Only*
(No Waiver Required)

- Year-Round schools.
- Schools designated as having a modified calendar for the 2003-04 school years or planned to have a modified calendar in 2003-04. This includes those schools that have been identified by the SBE as High Priority or Continually Low Performing, or
- Charter Schools (G.S. 115C-238.29F).

Note: Without the exceptions above, the opening date for school can be no earlier than the Monday closest to August 26th.

Waiver Requests

Waivers may only be requested for the opening date of the school calendar as defined in the law. Waivers cannot be requested for any other provision in the law, e.g., pay schedules, days in the month for salary purposes, or the number of school calendar days.

I. Missed Days

The State Board of Education may waive the opening date requirement for any LEA within a county that has been closed eight or more days per year during any four of the last ten years because of severe weather conditions, energy shortages, power failures, or other emergency situations.

The LEA may submit a request for a waiver for all the schools that reside in the LEA.

The LEA will choose the ten year period that determines their eligibility for a waiver.

The LEA must submit a waiver request by August 15 for State Board of Education approval or denial during their calendar development for the following school year.

The LEA may choose to submit a waiver by April 1 of the current year for State Board of Education approval or denial for the following school year.

History Note: Authority G.S. 115C-84.2; N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06B. 0109 CONTRACT TRANSPORTATION OF EXCEPTIONAL CHILDREN

Appropriate transportation shall be provided for all special education pupils when shown in their individualized education program that special transportation is required.

Upon the request of county and city boards of education, funds will be allotted by the assistant superintendent for Financial Services within the availability of funds.

Transportation arrangements will be administered through the appropriate county or city superintendent's office. Transportation should be provided by public school bus, special vehicles titled to a board of education, by contracts or fares with commercial carriers where practicable and by individual contractors (i.e. parents, family members, volunteers, retirees, etc.).

A form of written contract shall be devised and signed by both parties before transportation of children begins. All contracts shall as a minimum, contain the standards outlined in items 7-12.

In arranging contracts, every effort should be made to obtain these transportation services as economically as possible with the following consideration:

Pupils should be grouped as much as possible by car pooling.

Payments for contract mileage shall be based on actual necessary mileage required for the sole purpose of providing transportation of handicapped children to and from the school to which the handicapped child is enrolled. (Necessary mileage for an employed contractor is interpreted to be that which is required beyond normal commuting mileage associated with the employment of the contractor.) When contractors have sought employment so they could transport an exceptional child to a specialized school, they should not be penalized for their efforts. Thus, one round trip is permitted. Necessary mileage for non-employed contractors may include two round trips from the home to the school to which the handicapped child is enrolled.
PAYMENT SHALL BE MADE FOR THE ACTUAL NUMBER OF DAYS THE PUPILS ARE TRANSPORTED, NOT TO EXCEED ONE HUNDRED EIGHTY-ONE DAYS UNLESS EXTENDED SCHOOL YEAR IS REQUIRED IN THE STUDENT'S IEP.
Frequency of trips should be in compliance with the requirements of the public/private institutional school not to exceed 181 days unless extended school year is required in the student's IEP.
PAYMENT FOR CONTRACT MILEAGE TO INDIVIDUAL CONTRACTORS SHALL NOT EXCEED THE CURRENT STATE APPROVED MAXIMUM RATE OF REIMBURSEMENT.

Contract vehicles shall at all times while school pupils are being transported, meet the requirements of the Division of Motor Vehicles safety inspection regulations.
Drivers of contract vehicles shall hold a valid North Carolina operator's license at all times.
The driver of any passenger-carrying vehicle of over 12 passengers, other than a school bus, shall hold the appropriate North Carolina operator's license at all times.
Supporting invoices signed by individual contractors must be attached to the Financial Services' copy of the voucher submitted by the various county and city boards of education (contractor's name or company on Form TD-24A).
Local administrative units entering into contracts will not assume any responsibility for any funding other than services outlined in the contract.
Contractors shall acquire and maintain liability insurance.
The initial allotments shall consist of 90% of the previous year's approved Annual Operating Budget.
Additional funds will be allotted within the availability of funds after receipt and approval of the Annual Operating Budget and in accordance with the North Carolina Public Schools Allotment Policy Manual.
In accordance with Public School Law GS (115C-250) and rules and regulations adopted by the State Board of Education, funds for contract transportation of handicapped children with special needs who are unable because of their handicap to ride the regular school buses may be used to purchase buses and minibuses as well as for the purpose authorized in the budget.
The Department of Public Instruction, Transportation Services shall deliver buses requisitioned by the local school units at the earliest possible date and shall work with the respective school units in providing for the installation of special equipment on these buses as may be required.
The Department of Public Instruction shall purchase these buses and equipment initially from the appropriations provided for school bus replacement. A local school unit may pay any portion of the cost for buses delivered under these regulations from sources other than state funds. The Department of Public Instruction shall deposit these funds into the school bus replacement appropriations.
If any vehicle purchased under authority of this section is sold prior to the time of replacement by the Department of Public Instruction, proceeds from such sale shall be distributed in a prorated amount to the sources from which the vehicle was originally funded. If the vehicle is replaced by the Department of Public Instruction through its replacement program, the proceeds from such sale shall be transmitted to the Department of Public Instruction in total.
The Department of Public Instruction shall approve school bus routes established by a local board of education for the transportation of exceptional children on buses purchased from these funds.
Upon the placement of buses into service under these provisions, the operating costs shall be provided form regular allotments.
A report of all expenses incurred in transportation of exceptional children on school buses purchased under this provision, and who were previously provided services under contract transportation, shall be maintained and transmitted to the Division of School Services - Transportation.
A regular school child who is eligible for school bus transportation shall not be denied transportation on these special buses if space is available.
A local board of education shall make every effort to provide for specially trained drivers on buses transporting exceptional children and may supplement salaries paid from transportation funds allotted by the Department of Public Instruction from other sources of funds. The salaries of aides who may be required on the special buses shall not be paid from the state allotment of funds for school bus transportation.

History Note: Authority G.S. 115C-240(a); 115C-250; 115C-253; N.C. Constitution, Article IX, Sec.5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

16 NCAC 06B .0110 ESTABLISHMENT OF SCHOOL BUS ROUTES

Bus Routes
Superintendents shall establish school bus routes for all students eligible for and requesting transportation as directed by G.S. 115C-246(a) with a goal of ensuring student safety. Superintendents shall, at a minimum, apply the following criteria when developing and implementing bus routes.
Bus routes shall be planned in a manner designed to conserve fuel and to use buses efficiently.
Unless safety or other conditions make it inadvisable to do so, a route shall not deviate from a general path of direction for a distance of less than one-half mile and then return to the original path except for:
  - groups of 10 or more pupils;
  - unescorted pupils in grades pre-kindergarten through three; and
  - pupils with special needs as defined by an Individual Education Program (IEP).
Unless safety or other conditions make it inadvisable to do so, superintendents shall not plan bus stops closer together than 0.2 miles.
Parents and guardians of students assigned to school bus routes shall be informed of the scheduled school bus arrival time and their responsibility to make sure that students are at the school bus stop prior to that arrival time.
16 NCAC 06B .0111 SCHOOL BUS PASSENGERS
School Bus and Activity Bus Passenger Safety

This policy is effective January 1, 2016.
LEAs shall provide instruction in school bus safety to all children (regardless of whether they regularly ride a school bus to and from school) during the first five days of school and at least once during each semester thereafter. LEAs shall document the date on which training was provided to each student. This instruction shall include but not be limited to:

- basic skills and knowledge vital to safety in school bus transportation;
- proper loading techniques, including street crossing at the bus stop and the North Carolina crossing signal;
- and
- instruction as needed to ensure that passengers are familiar with location and operation of emergency exits for the vehicle on which they are riding for any specific trip.

LEAs shall adhere to the following when assigning pupils to school buses, activity buses, commercial buses, or other contracted vehicles:

- LEAs shall not allow the number of passengers being transported to exceed the official rated capacity for the specific vehicle being used.
- LEAs shall ensure that all riders are seated completely within the seating compartment, when any bus or other vehicle is in motion.
- LEAs shall ensure that no person is standing or sitting in the aisle or stepwell when any bus or other vehicle is in motion.

LEAs shall require school bus drivers to utilize the North Carolina crossing signal to communicate to students when it is safe to cross the street to board the bus and when it is safe to cross the street after exiting the bus. The Department of Public Instruction shall develop and make available training materials describing the crossing signal for students and school bus drivers.

LEAs shall also provide safety instruction to students taking trips on activity buses or commercial buses as needed, including but not limited to instruction and demonstration of emergency exit operation for the vehicle on which they are riding for any specific trip.

History Note: Authority G.S. 115C-240; N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

16 NCAC 06B .0112 PURCHASE OF SCHOOL BUS EQUIPMENT
LEAs shall purchase school buses, school bus tires, brake pads, brake shoes, and brake hardware that meet the safety specifications listed in the request for bids for the statewide term contract for these items.

History Note: Authority G.S. 115C-249; G.S. 115C-249.1; G.S. 115C-522; N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

16 NCAC 06B .0113 ACTIVITY BUS DRIVERS
Definitions:

- CDL means a Commercial Drivers License, which is a license issued by the state that authorizes an individual to drive a commercial motor vehicle (G.S. 20-4.01).
- CDL Activity Bus” means a school activity bus (G.S. 20-4.01) built to transport 16 or more passengers including the driver. A CDL is required to drive a "CDL Activity Bus" (G.S. 20-4.01).
- "School bus driver's certificate" means a certificate issued by a duly designated representative of the Commissioner of Motor Vehicles and the Director of Transportation, or a designee of the Director in charge of school buses in the county which shows that he or she has been examined and has been certified fit and competent to drive a school bus over the highways and public vehicular areas of the State. (G.S. 20-218)

LEAs shall require individuals who transport students to or from a school-related activity in a CDL Activity Bus to hold a valid Commercial Drivers License with a Passenger (P) and School Bus (S) endorsement (CDL-P/S) as required by the Division of Motor Vehicles.

Beginning July 1, 2010, LEAs shall require individuals being initially licensed with a CDL-P/S, who transport students to or from a school-related activity in a CDL Activity Bus, also to hold a school bus driver’s certificate.

Beginning July 1, 2015, LEAs shall not permit any individual to transport students in a CDL Activity Bus unless he or she holds both a CDL-P/S license and valid school bus driver's certificate.

History Note: Authority G.S. 115C-240; 115C-245(a); N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

16 NCAC 06B .0114 SCHOOL BUS AND ACTIVITY BUS INSPECTIONS
LEAs shall require each 30-day inspection required under G.S. 115C-248 to be conducted by an individual who has completed the vehicle inspection training and certification requirements administered by the Department of Public Instruction.
Definitions

Professional Educator or Educator – An administrator, teacher, or student services personnel

Teacher – An individual whose major responsibility is to either teach or directly supervise teaching, as classified by the North Carolina State Board of Education (NCSBE).

Student Services Personnel – An individual providing specialized assistance to students, teachers, administrators, or the education program in general, as classified by the NCSBE. Student services personnel include, but are not limited to, individuals employed in school counseling, school social work, school psychology, audiology, speech-language pathology, and media coordination.

Administrator – An administrator or supervisor who serves in general and program administrator roles, as classified by the NCSBE. Administrators include, but are not limited to, superintendents, assistant or associate superintendents, principals, assistant principals, or curriculum-instructional specialists.

1.00 Licensure Required

Any person employed by a Local Education Agency (LEA) in a professional educator position must hold a professional educator’s license. Each applicant shall file an application in the form prescribed by the North Carolina Department of Public Instruction (NCDPI) with the required appropriate supporting documentation and the required processing fee.

1.10 Designation of Appropriate Licensure Prior to Establishment of Staffing New Programs/Positions in Public Schools

Current license areas issued by NCDPI are below.

Licenses with their corresponding codes are found in LICN-003: https://simbli.eboardsolutions.com/ePolicy/policy.aspx?PC=LICN-003&Sch=10399&S=10399&C=LICN&RevNo=2.07&T=A&Z=P&St=ADOPTED&PG=6&SN=true

Teaching Areas

Elementary

Birth-Kindergarten (B-K)
Preschool Add-on*
Elementary (K-6)
Elementary Second Language++
Elementary (K-6) Math Add-on**
Elementary (K-6) Science Add-on**
Reading (K-6)
English as a Second Language [ESL] (K-6)
Special Education: General Curriculum (K-6)
Special Education: Adapted Curriculum (K-6)

*Available only to teachers with current licenses in elementary education, special education, or family and consumer sciences.

**Available upon completion of NCSBE approved program offered by approved NC universities

Special Subjects (K-12)

Art (K-12)
Music (K-12)
Dance (K-12)
Theater Arts (K-12)
Health Specialist (K-12)
Physical Education (K-12)
Health and Physical Education (K-12)
Safety and Driver Education
Speech Communication (K-12) ESL (K-12)
Reading (K-12)
American Sign Language (K-12)
French (K-12)
Spanish (K-12)
German (K-12)
Japanese (K-12)
Russian (K-12)
Arabic (K-12)
Cherokee (K-12)
Chinese (K-12)
Greek (Ancient) (K-12)
Greek (Modern) (K-12)
Hebrew (K-12)
Hindi (K-12)
Italian (K-12)
Korean (K-12)
Latin (K-12)
Portuguese (K-12)
Swahili (K-12)
Turkish (K-12)
Computer Education++ (K-12)
Junior ROTC
Other Foreign Language (K-12)

Secondary (9-12)

English (9-12)
Mathematics (9-12)
Science (9-12)
Earth Science (9-12)
Biology (9-12)
Physics (9-12)
Chemistry (9-12)
Social Studies (9-12)
Political Science (9-12)
Geography (9-12)
History (9-12)
Economics (9-12)
Sociology (9-12)
Anthropology (9-12)
French (9-12)
Spanish (9-12)
German (9-12)
Japanese (9-12)
Russian (9-12)
Latin (9-12)
Bible (9-12)
Journalism ++ (9-12)
Psychology ++ (9-12)
Italian ++ (9-12)
Chinese ++ (9-12)

Middle Grades

Middle Grades Language Arts Middle Grades
Mathematics Middle Grades Science
Middle Grades Social Studies
Middle Grades Literacy Coach**
** Available only to teachers who complete the NC
Teacher Academy Middle School Literacy Coach Training Program

**Exceptional Children**

Specific Learning Disabled
Academically Gifted
Deaf and Hard of Hearing
Special Education: General Curriculum
Special Education: Adapted Curriculum
Cross Categorical (mildly/moderately disabled)
Severely/Profoundly Disabled
Mentally Disabled Visually Impaired
Behaviorally/Emotionally Disabled

**Career and Technical Education**

Agricultural Education
Business and Information Technology Education
  - Computer Programming++
  - Project Management++
Career Development Coordinator
Career and Technical Education Director
Family and Consumer Sciences
  - Fashion Merchandising++
Apparel and Textiles
  - Fashion Merchandising++
Child Development, Family Studies Food and Nutrition, Culinary Arts
Interior Design/Housing Project Management++
Health Sciences Education Registered Nurse
  - Project Lead the Way (PLTW) Biomedical Sciences++
Non-RN Allied Health/Medical Professional
  - Project Lead the Way (PLTW) Biomedical Sciences++
Biotechnology Professional
  - Project Lead the Way (PLTW) Biomedical Sciences++
Information Technology
Instructional Management Coordinator Marketing Education
  - Computer Programming++ Project Management++
Apparel and Textile Production++
Special Populations Coordinator
Technology Engineering & Design Education
  - Scientific and Technical Visualization++
  - Project Lead the Way (PLTW)++
  - Computer Programming++
  - Game Art Design++
  - Project Management++
Automotive Service
Carpentry 74025
  - Electrical Trades++
  - Masonry++
Collision Repair
Drafting
Digital Media
Electrical Trades
  - Carpenter++
  - Masonry++
Manufacturing Masonry
  - Electrical Trades++
  - Carpenter++
Public Safety
Welding 74080
Specialized
  - Carpenter++
1.20 Types of Licenses

Licenses shall indicate grade levels, content areas, and specialization in which the person is eligible for employment, as well as preparation and experience levels. Licenses shall be of the following types:

1. Professional Educator - A professional educator license shall entitle the holder to practice in a designated area(s) or specialization(s) at the elementary, middle, or secondary level. There shall be four levels of preparation for a professional educator license:

   - Bachelor's Degree (A level)
   - Master’s/Advanced Competencies (M level)
   - Advanced/Specialist (S level)
   - Doctorate (D level)

2. A professional educator license shall be categorized as elementary (B-K; K-6), middle grades (6-9), secondary (9-12), special subjects (K-12), or Career and Technical Education as specified in the CTE Licensure Policies and Procedures Manual.

3. Effective July 1, 2016, there shall be two classifications of professional educator licenses:

   a. The Initial Professional License (IPL), valid for a maximum of three years, allows the educator to begin practicing the profession on an independent basis in North Carolina. Beginning with the 2016-2017 school year, to be issued an Initial Professional License, an individual must either complete an approved educator preparation program, or qualify for an initial lateral entry license, or qualify for an initial CTE license as specified in the CTE Licensure Policies and Procedures Manual. All Standard Professional 1 licenses shall be deemed to be Initial Professional Licenses effective July 1, 2016.

   b. The Continuing Professional License (CPL), valid for five years, allows the educator to serve on an on-going basis. A Continuing Professional License must be renewed every five years.

4. An IPL may be issued to an individual who meets at least one of the following criteria:

   a. Has completed a North Carolina Educator Preparation Program (EPP) and has been recommended for licensure by the cooperating EPP;

   b. Holds a Residency License and has been recommended for a professional license by the cooperating EPP;

   c. Holds a clear license from another state with three or more years of teaching;
d. Has completed an educator preparation program from another state; or if licensed, has fewer than three years of teaching experience.

An applicant for North Carolina licensure who has successfully completed all the academic, field, clinical, and professional requirements for licensure as prescribed for program completion by his/her cooperating EPP, except passing required licensure exams, may petition the State Board of Education for an Initial Professional License (IPL). The petition must be initiated at the request of a North Carolina public school unit (i.e., LEA, charter school, ISD school, laboratory school, or residential school) that seeks to employ the applicant for licensure.

1.21 Converting an Initial Professional License to a Continuing Professional License

Conversion from an Initial Professional License to a Continuing Professional License does not require the recommendation of the employing school system. To convert an Initial Professional License to a Continuing Professional License, an educator must have completed at least three years of teaching experience (either in North Carolina or verified experience from another state) and pass all SBE-approved, or comparable, licensure exams required for the license(s).

For the purposes of section 1.21 and following, comparability of licensure tests is established as follows:

a. The out-of-state applicant has taken a licensure exam(s) which satisfies one component of the licensure process in that State at the time the exam(s) was taken.

b. The out-of-state applicant demonstrates a score on the exam(s) that meets or exceeds the passing score, or range of scores, established by the test developer. The applicant must meet, or exceed the developer's recommended passing score regardless of the state's official passing score.

1.22 Timelines for Completing Licensure Exams

1. Effective July 1, 2018, all initially licensed teachers for whom a license exam(s) is required must:
   i. attempt all required exams in the first year of teaching, and;
   ii. successfully pass all required exams before or during the second year of teaching in North Carolina
   iii. request from the testing vendor that licensure exam scores be submitted directly to NCDPI.

NOTE: For the 2017-18 school year, teachers in the second year of an Initial Professional License must pass all NCSBE-required licensure exams by the end of the 2017-18 academic year. Teachers who fulfill this requirement may be eligible to maintain the Initial Professional License and/or convert to a Continuing Professional License regardless of whether they attempted the exam(s) in the first year of teaching.

2. The end of the academic year is defined as August 15 for any school year. If August 15 falls on a Saturday or Sunday, the preceding Friday will be the end of the academic year. A year is defined as working not fewer than six calendar months in the fiscal year. A calendar month is defined as the number of days employed divided by the number of days in the pay period multiplied by the employee’s percentage of employment. Professional educators who work six calendar months or more in a fiscal year must complete any testing required for that year. For professional educators who work fewer than six calendar months in the fiscal year, any testing requirements will be required in the following fiscal year.

3. If a teacher fails to meet the testing requirement of either the first or second year, the Initial Professional License will expire at the end of the academic year in which the testing requirement was not met.

4. Initially licensed teachers who fail to meet the requirements to maintain the Initial Professional License and/or who fail to convert it to a Continuing Professional License may apply to the NCSBE for another Initial Professional License once the applicant has successfully passed all license exam(s) and completed all required coursework. Additionally, the applicant must meet any remaining Beginning Teacher Support Program requirements during the term of the Initial Professional License. Teachers who obtain an Initial Professional License under this provision shall be required to meet continuing education requirements as listed in the General Requirements of LICN-005.

1.23 License Renewal

Renewal Year: An educator’s Continuing Professional License shall be renewed at the end of each five-year term, provided the educator completes all requirements put forth in G.S. § 115C-296(b)(1)(b).

a. All educators who:
i. are employed by a local board of education,

ii. possess a Continuing Professional License;

iii. are in the final year of the 5-year renewal cycle, and;

iv. are not deemed proficient on the most recent final summative evaluation;

may be placed on a mandatory improvement plan and may, therefore, be eligible to receive an Initial Professional License, provided all other licensure requirements are met.

b. For the purposes of this policy, “proficient” shall be defined as achieving a rating of proficient, or higher, on three of the five standards of the NC Educator Evaluation System (NCEES), provided that the standard related to pedagogy (Standard IV in NCEES) is rated at the level of proficient, or higher. Teachers on an abbreviated evaluation plan must achieve a rating of proficient, or higher, on the standard related to pedagogy in order to be deemed “proficient”.

c. An educator who meets the criteria in paragraph (a) but who is not placed on a mandatory improvement plan by the employing agency shall be deemed to have an “expired” teaching license. An educator whose license has expired pursuant to the provision in this section shall be eligible to apply for an Initial Professional License upon receipt of official notification of the license expiration from the NCSBE and after a 30-day waiting period.

d. The term of the mandatory improvement plan shall be 90 instructional days for teachers in schools identified as low performing and 60 instructional days for teachers in schools not identified as low performing. Educators who are placed on a mandatory improvement plan as a result of this policy shall be issued an Initial Professional License provided the educator meets other licensing requirements.

e. LEAs that move to dismiss an educator under the provisions of this policy must follow all due process procedures as outlined in G.S. § 115C 325.1, et seq. The reversion of an educator’s license from Continuing to Initial shall not be construed as a demotion or result in a reduction of the educator’s salary. At the end of the term of the Initial Professional License (three years), an educator may be eligible for a Continuing Professional License.

1.24 Other Types of Licenses

1. Student Services - A student services license shall entitle the holder to provide specialized assistance to the learner, the teacher, the administrator and the education program in general. Student services licenses shall include school counseling, school social work, school psychology, audiology, speech-language pathology, and media. There shall be three levels of preparation:

- Master’s Degree (M)
- Advanced/Specialist (S)
- Doctorate (D)

School psychology shall be restricted to the sixth-year and doctorate levels, and school social work may be earned at the bachelor’s level. The Nationally Certified School Psychologist credential (NCSP) issued by the National Association of School Psychologists will be accepted for a continuing professional license to the extent that such certification remains aligned with the licensure requirements for the state of North Carolina. Should the requirements change for NCSP certification, NCDPI will reevaluate to determine whether the revised NCSP will continue to be used as an eligibility requirement for the continuing professional license.

Speech-language pathology licenses are issued only by the North Carolina Board of Examiners for Speech and Language Pathologists and Audiologists at the master’s and doctorate level.

Student services personnel who have completed an approved preparation program and NCSBE-required tests are issued a Continuing Professional License. Student services personnel who have completed an approved preparation program but not satisfied NCSBE-required tests are issued an Initial Professional License. Student services personnel who are issued an Initial Professional License beginning July 1, 2018, must attempt their NCSBE-required licensure exams in their first year of employment and pass in the second year of employment. When NCSBE-required tests are passed, the Initial Professional License is converted to a Continuing Professional License. Where applicable, Initial Professional License requirements, as defined in section 1.20(3)(a) must be met by student services personnel.

Student services personnel who are fully licensed in another state and meet NCSBE-approved testing requirements or have National Board Certification will be issued a Continuing Professional License.
Student services personnel who are fully licensed in another state and have three or more years of student services school experience in another state and have not passed NCSBE-required tests must either provide evidence of successfully passing a comparable, State-approved licensure exam in the state where they completed their Educator Preparation Program or have earned National Board Certification to be granted a Continuing Professional License.

2. Administrator/Supervisor – An administrator/supervisor license shall entitle the holder to serve in general and program administrator roles such as superintendent, assistant or associate superintendent, principal, assistant principal or curriculum-instructional specialist. School administrator candidates who provide documentation of successful completion of a principal preparation program selected for a competitive grant by the State Education Assistance Authority shall be eligible for a North Carolina continuing principal license subject to character and fitness requirements. Beginning July 1, 2018, administrators must attempt any NCSBE-required exams in their first year of employment as an administrator and pass any NCSBE-required exams in the second year of employment as an administrator.

There shall be three levels of preparation:

- Master’s Degree (M)
- Advanced/Specialist Degree (S)
- Doctorate Degree (D)

The superintendent’s license shall be restricted to the advanced and doctorate levels and authorizes the holder to serve as superintendent and assistant (or associate) superintendent. In order to serve as a superintendent of a local administrative unit, a candidate:

a. Must hold a North Carolina principal's license and superintendent's license issued under the authority of the State Board of Education.  
   or
b. Must have earned at least a bachelor’s degree from a regionally accredited college or university and have five years leadership or managerial experience considered relevant by the employing local board of education.
   and
c. Verification of appropriate credentials of a candidate for superintendent of a local school administrative unit must be completed by the NCSBE prior to employment by a local board of education.

The policies set forth in Section 1.20 shall be effective for applications received by NCDPI for review on or after August 4, 2016. Educators must successfully pass all required licensure examinations (or coursework in lieu of examination, where permissible) before or during the second year of teaching in North Carolina.

1.25a NC Educator License for Out-of-State Educators

The North Carolina licenses issued for out-of-state educators from requirements stated in section 1.25a are valid until June 30, 2019. See Section 1.25b for alternate requirements for out-of-state educators.

Pursuant to G.S. § 115C-296(b)(1), initial applicants for NC educator licensure who possess a valid, current out-of-state educator license shall demonstrate evidence of effectiveness by providing evaluation data, including student growth (where applicable), from the State in which the current license is held. Out-of-state applicants who provide these effectiveness data and who are employed with, or are recommended by, an NC public school system (LEA or charter school) shall be prioritized for review over out-of-state applicants who do not provide these effectiveness data as part of the application for initial NC licensure.

Out-of-state applicants who do not provide effectiveness data as part of their application for initial licensure in North Carolina shall only be eligible for an Initial Professional License (see Section 1.20 (3)(a)). The employing LEA or charter school shall be responsible for verifying to NCDPI the receipt of evaluation data for its (prospective) employees. At the end of the term of the Initial Professional License (three years), a teacher may be eligible for a Continuing Professional License.

1. Educators with Three or More Years of Experience

For the purposes of section 1.21, comparability of licensure tests is established as follows:

a. The out-of-state applicant takes a licensure test in another State identical to the NC licensure test for that content area and achieves a North Carolina passing score, or;
b. NCDPI determines the test administered in another State is comparable in content and rigor to the North Carolina assessment and was passed at a satisfactory level.

Out-of-state applicants who

a. are fully licensed in another State, and;

b. have three or more years of experience in another State and meet the testing requirements in another State comparable to those in NC; or,

c. have National Board Certification,

will be issued a Continuing Professional License. The issuance of a Continuing Professional License for out-of-state teachers is conditional on meeting the requirements of G.S. § 115C-296(b)(1).

a. Elementary Education and Exceptional Children – General Curriculum (ECGC)

Out-of-state individuals with three or more years of experience who are applying for an NC Elementary Educator license must provide evidence of successfully passing comparable State-approved mathematics AND reading subtest from the State in which they completed their educator preparation program in order to be granted a Continuing Professional License.

Out-of-state individuals with three or more years of experience who are applying for an NC Elementary Educator teaching license and who have passed another State’s licensure exam without mathematics and reading subtests may be issued an Initial Professional License. To convert to a Continuing Professional License, the individual may enroll in NCDPI’s Reading Research to Classroom Practice and Mathematics Foundations courses. Candidates who successfully complete these courses and pass the associated assessments may be eligible for a Continuing Professional License.

Out-of-state individuals with three or more years of experience who are applying for an NC ECGC teaching license must provide evidence of successfully passing a comparable State-approved mathematics AND reading subtest from State in which they completed their educator preparation program. Additionally, ECGC teachers must provide evidence of successfully passing a State-approved exam comparable to NCSBE-required exams for ECGC licensure (see LICN-003 for testing requirements).

Out-of-state applicants with three or more years of teaching experience also have the option to pass the NCSBE-approved licensure exams to fulfill the requirements for a Continuing Professional License.

b. Additional License Areas

Out-of-state individuals who are approved for an NC teaching license in the primary area of certification may also be granted an NC teaching license in any content area(s) subsequently added to the Initial Professional License by passing a comparable licensure exam in another State, provided NC has a comparable license area.

2. Educators with Fewer than Three Years of Experience

a. Elementary Education and Exceptional Children – General Curriculum (ECGC)

Individuals who hold an out-of-state teaching license and have fewer than three years of teaching experience may be granted an Initial Professional License in Elementary Education or ECGC. Initially licensed teachers must attempt all applicable NCSBE-required exams in the first year of teaching and pass all exams before or during the second year of teaching in order to move from an Initial to a Continuing Professional License.

b. All Other Teaching License Areas

Individuals who hold an out-of-state teaching license and have fewer than three years of teaching experience may be granted an Initial Professional License. If the individual has successfully passed a state-approved licensure exam, appropriate for the licensure area, from the same State in which they completed their Educator Preparation Program, the individual may be eligible for an Initial Professional License in the same, or comparable, NC license area. If the individual is required to pass an NCSBE required licensure exam, he/she must attempt the required exam(s) in the first year of teaching and pass the required exam(s) before or during the second year of teaching.
The policies set forth in Section 1.25a shall be effective for applications by NCDPI for review on or after August 4, 2016. Teachers must successfully pass all required licensure examinations (or coursework in lieu of examination, where permissible) before the second year of teaching in North Carolina.

1.25b NC Educator License for Out-of-State Educators

The North Carolina licenses issued for out-of-state educators with requirements stated in section 1.25b are effective upon SBE approval.

Pursuant to G.S. § 115C-296(b)(1), initial applicants for NC educator licensure who possess a valid, current out-of-state educator license shall demonstrate evidence of effectiveness by providing evaluation data, including student growth (where applicable), from the State in which the current license is held. Out-of-state applicants who provide these effectiveness data and who are employed with, or are recommended by, an NC public school system (LEA or charter school) shall be prioritized for review over out-of-state applicants who do not provide these effectiveness data as part of the application for initial NC licensure. Out-of-state educators who meet the abovementioned conditions and have passed a comparable licensure exam may be issued a Continuing Professional License.

Out-of-state applicants who do not provide effectiveness data as part of their application for initial licensure in North Carolina shall only be eligible for an Initial Professional License (see Section 1.20 (3)(a)). The employing LEA or charter school shall be responsible for verifying to NCDPI the receipt of evaluation data for its (prospective) employees. At the end of the term of the Initial Professional License (three years), a teacher may be eligible for a Continuing Professional License.

Educators with Three or More Years of Experience

Out-of-state applicants who
a. are fully licensed in another State, and;
b. have three or more years of experience in another State and have met comparable testing requirements in another State; or,
c. have National Board Certification

may be issued a Continuing Professional License. The issuance of a Continuing Professional License for out-of-state teachers is conditional on meeting the requirements of G.S. § 115C-296(b)(1).

1. Elementary Education and Exceptional Children – General Curriculum (ECGC)

Out-of-state individuals with three or more years of experience who are applying for an NC Elementary Educator license must provide evidence of successfully passing another state’s comparable approved mathematics AND reading subtest in order to be granted a Continuing Professional License. The exam(s) score must meet or exceed the test developer's recommended passing score at the time the exam was taken.

Out-of-state individuals with three or more years of experience who are applying for an NC Elementary Educator teaching license and who have passed a comparable state-approved licensure exam without mathematics and reading subtests may be issued an Initial Professional License. The exam(s) score must meet or exceed the test developer's recommended passing score at the time the exam was taken. To convert to a Continuing Professional License, the individual may enroll in NCDPI’s Reading Research to Classroom Practice and Mathematics Foundations courses. Candidates who successfully complete these courses and pass the associated assessments may be eligible for a Continuing Professional License.

Out-of-state individuals with three or more years of experience who are applying for an NC ECGC teaching license must provide evidence of successfully passing another state’s comparable mathematics AND reading subtest. Additionally, ECGC teachers must provide evidence of successfully passing another state's comparable exam for ECGC licensure (see LICN-003 for testing requirements). The exam(s) score must meet or exceed the test developer's recommended passing score at the time the exam was taken.

Out-of-state applicants with three or more years of teaching experience also have the option to pass the NCSBE-approved licensure exams to fulfill the requirements for a Continuing Professional License.

2. Additional License Areas

Out-of-state individuals who are approved for an NC teaching license in the primary area of certification may also be granted an NC teaching license in any content area(s) subsequently added to the Initial Professional License by passing another state's comparable licensure exam, provided NC has a comparable license area. The exam(s) score must meet or exceed the test developer's recommended passing score at the time the exam was taken.
Educators with Fewer than Three Years of Experience

1. Elementary Education and Exceptional Children – General Curriculum (ECGC)

Out-of-state individuals with fewer than three years of experience who are applying for an NC Elementary Educator license may be granted an IPL if they have completed an out-of-state educator preparation program or hold a license in elementary education from another state. In order to convert the Initial Professional License to a Continuing Professional License, the candidate must pass all SBE-required licensure exams according to the requirements of Section 1.22 (See LICN-003 for specific exam requirements). The license of a candidate who does not meet the testing requirements as listed in Section 1.22 will expire effective June 30th of the year in which the candidate failed to meet the testing requirement.

2. All Other Teaching License Areas

Individuals who hold an out-of-state teaching license or have completed an out-of-state educator preparation program and have fewer than three years of teaching experience may be granted an Initial Professional License. If the individual has successfully passed another state’s comparable licensure exam, appropriate for the licensure area, the individual may be eligible for an Initial Professional License in the same, or comparable, NC license area. The exam(s) score must meet or exceed the test developer’s recommended passing score at the time the exam was taken. If the individual is required to pass an NCSBE required licensure exam, he/she must attempt the required exam(s) in the first year of teaching and pass the required exam(s) before or during the second year of teaching.

1.26 Special Provisions for Spouses of Active Duty Military Personnel

Spouses of active duty military personnel in the Armed Forces whose military duty station is in the State of North Carolina and who have been employed by an NC public school must meet all the requirements for licensure set forth in NCSBE policies. Licensure exam scores for spouses of active military personnel do not have to be from the same State in which the applicant completed his/her Educator Preparation Program.

Additionally, NCDPI shall develop a process for facilitating the processing of NC teaching licenses to applicants who provide documentation that they are the spouse of military personnel on active duty in the State of North Carolina and who have been employed by an NC public school.

"Active duty" is defined as full-time duty status in the active uniformed service of the United States on active duty orders pursuant to 10 U.S.C. § 12301, et. seq. and 10 U.S.C. § 12401, et. seq.

The term "Armed Forces" shall mean the United States Air Force, Army, Coast Guard, Marine Corps, and Navy and any reserve component of the foregoing.

1.27 Adding Teaching Areas to Existing Teacher License

Individuals who hold a clear teaching license in one area can add an additional teaching area to the license through any of the following options:

1. completing an NCSBE-approved Educator Preparation Program in the additional area, or;
2. satisfying NCSBE-required exams for the additional area, or;
3. completing 24 semester hours in the subject area with a grade of C or better in each course, or;
4. earning a rating of at least “Advanced Low” proficiency on the ACTFL (American Council on the Teaching of Foreign Languages) Oral Proficiency Test, and, if available, the Writing Proficiency Test, or, if the language is American Sign Language (ASL), by earning a rating of at least “Advanced” proficiency on The National Technical Institute for the Deaf (NTID) Sign Language Proficiency Interview (SLPI) (World Languages content areas only).

1.28 Special Subject Areas (K-12)

<table>
<thead>
<tr>
<th>Area</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Safety and Driver Education</td>
<td>Complete the NCDPI Safety and Traffic Education Program</td>
</tr>
<tr>
<td></td>
<td>• Complete 134 hours of coursework, which includes a minimum of 54 hours of student teaching practicum (a minimum of 24 hours of)</td>
</tr>
</tbody>
</table>
in-car instruction and 30 hours of classroom experience) and 80 hours of blended learning coursework, AND;

- Pass all course assessments and the Safety and Traffic Education Program Test with a score of 80% or higher.

### 1.50 Provisional License

This section applies to any educators who do not meet the requirements set forth in section 1.23.

1. Effective July 1, 2016, individuals licensed at the bachelor’s level or higher may have other areas added on a provisional basis to their license as needed and requested by the employing LEA. Educators who are granted a provisional license are eligible to receive the same years of teaching experience associated with their original license.

2. NCDPI may issue the provisional license and inform the individual and LEA personnel officer of requirements to clear the provisional status. These requirements may include coursework and/or testing.

3. Beginning with the 2015-2016 school year, all course credit earned toward fulfilling these requirements must be directly applicable to and met by the end of the duration of the provisional license. All requirements to clear a provisional license must be completed within five years of the first effective date of the provisional license.

4. In the area of Exceptional Children, teachers must hold the appropriate license for each area of exceptionality to which they are assigned. If 80% or more of a class qualifies as an exceptional area, the teacher must be licensed in that area.

### 1.55 Eligibility for Provisional Licensing

Provisional licenses are issued only at the request of the employing LEA. To be eligible for a provisional license, the individual must be assigned in the license area. Specific eligibility requirements for provisional licensing follow:

<table>
<thead>
<tr>
<th>Area</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>School Counselor</td>
<td>1. Enrollment in an accredited school counselor preparation program and completion of a minimum of 24 graduate semester hours of that program; or,</td>
</tr>
<tr>
<td></td>
<td>2. completion of a master’s degree in addiction; career; clinical mental health; clinical rehabilitation; college counseling and student affairs; marriage, couple, and family counseling; or rehabilitation counseling from a regionally accredited college or university and enrollment in an accredited school counselor preparation program to complete additional master’s level courses needed to add school counseling specialization. Both options require completion of remaining school counselor preparation program requirements within three years.</td>
</tr>
<tr>
<td>School Social Work</td>
<td>Completion of a bachelor’s, master’s, specialist, or doctoral degree in social work.</td>
</tr>
<tr>
<td>Media Coordinator</td>
<td>“A” level teaching license or bachelor’s degree in media or 18 graduate semester hours applicable toward a school media coordinator program.</td>
</tr>
<tr>
<td>School Psychology</td>
<td>Completion of all program requirements at the advanced level except for the thesis or internship. Written confirmation from the college/university at which the individual has matriculated concurring with the individual’s employment.</td>
</tr>
<tr>
<td>Speech-Language Pathology</td>
<td>Provisional licenses are no longer issued in this area. However, individuals holding non-provisional “A” level licenses must complete requirements for the “M” license by July 1, 2005.</td>
</tr>
</tbody>
</table>
1.60 Endorsement

An endorsement is an attachment to a full license area, which allows the individual to teach a specific subject on a half-time or less basis. Endorsements shall be issued by the Department of Public Instruction based on a minimum of eighteen semester hours in the specific content area.

Teachers with the following endorsements are not subject to the limits of half-time teaching and may teach full time in the endorsement area:

1. Journalism
2. K-12 computer education
3. Psychology
4. Career and Technical Education endorsement areas (See CTE Licensure Manual)

1.70 Initial Lateral Entry License

Per SL 2017-189, issuance of Lateral Entry licenses (as defined in sections 1.70 and 1.75 of this policy) will cease on June 30, 2019.

An individual who has not completed an approved teacher education program may be licensed under the following lateral entry provisions:

1. Be selected for employment by a North Carolina school system;
2. Hold at least a bachelor’s degree from a regionally accredited college or university in the subject area in which they are employed to teach or hold at least a bachelor’s degree from a regionally accredited college or university and have satisfied the NCSBE approved testing requirements for the license area and meet the requirements to be designated “highly qualified”. To be designated “highly qualified,” elementary and exceptional children’s teachers must pass the NCSBE approved exam(s). To be designated “highly qualified,” middle school, high school, and special subject area teachers (e.g., art, music, second languages) must hold a bachelor’s or master’s degree in the specific area, or have 24 semester hours in the area, or pass the NCSBE approved exam(s) in the area(s).
3. Have a minimum cumulative grade point average (GPA) of 2.5 or have five years of experience considered relevant by the LEA, or have passed the NCSBE approved exam(s) and have attained one of the following:

   a. a GPA of at least 3.0 on all work completed in the senior year;
   b. a GPA of at least 3.0 in the major; or
   c. a GPA of at least 3.0 in a minimum of 15 semester hours of course work completed after the bachelor’s degree was earned and within the last 5 years.

A person who holds a lateral entry license shall complete a program that includes the following components:

1. completion of an approved teacher education program in the area of licensure at a college or university or completion of a program of study outlined by the Regional Alternative Licensing Centers;

Prescribed academic content coursework that is available through community colleges may be used to satisfy licensure requirements. General pedagogy competencies can be satisfied as follows.

<table>
<thead>
<tr>
<th>General Pedagogy Competencies</th>
<th>Completed Through</th>
</tr>
</thead>
<tbody>
<tr>
<td>Educational/Instructional Technology</td>
<td>Approved Teacher Education Program or Community College or Local Education Agency (if employed)</td>
</tr>
<tr>
<td>Understanding the Learner: Human Growth and Development</td>
<td>Approved Teacher Education Program or Community College</td>
</tr>
<tr>
<td>Learning Theory; Learning Styles; Motivation; How Children/Adolescents Learn</td>
<td>Approved Teacher Education Program or Community College</td>
</tr>
<tr>
<td>Meeting Special Learning Needs; Exceptionalities; Diversity</td>
<td>Approved Teacher Education Program</td>
</tr>
<tr>
<td>Literacy/Reading Methods</td>
<td>Approved Teacher Education Program</td>
</tr>
<tr>
<td>Instructional Methods</td>
<td>Approved Teacher Education Program</td>
</tr>
<tr>
<td>School Policies/Procedures</td>
<td>Approved Teacher Education Program or Community College or Local Education Agency (if employed)</td>
</tr>
<tr>
<td>Home/School/Community Collaborations</td>
<td>Approved Teacher Education Program or Community College or Local Education Agency (if employed)</td>
</tr>
<tr>
<td>Classroom Management/Organizing the Classroom to Maximize Learning</td>
<td>Approved Teacher Education Program or Community College or Local Education Agency (if employed)</td>
</tr>
</tbody>
</table>

1. attaining passing score on the NCSBE approved subject exam(s) during the first three school years of holding the lateral entry license if the exam(s) was/were not the basis of qualifying for the license;

2. completion of a staff development program that includes a two-week training course LEAs may elect to distribute training days across the lateral entry teacher’s first year of service provided that at least five days of training are conducted prior to beginning the work assignment.

3. successful completion of a three-year beginning teacher support program;
4. completion of all above requirements within 3 years of becoming eligible for a lateral entry license and recommendation of the IHE or RALC for clear licensure.

Individuals who possess five or more years of experience considered relevant by the LEA and satisfy NCSBE approved testing requirements for the licensure area(s) within the first year of teaching shall be issued an Initial license upon:

a. Completion of the NC TEACH modules or the equivalent through an approved teacher education program: 1) The Teacher, The Learner, and The School; 2) Diversity; 3) Content Area Pedagogy. (Note: The NC TEACH modules are offered and administered through NC colleges and universities with approved teacher education programs.

and

b. Completion of the NC TEACH module on Instructional Technology or the equivalent through an approved teacher education program, community college, or through professional development offered by the LEA;

and

c. Completion of one year of teaching as verified by the employing LEA.

The employing school system shall formally commit to supporting the lateral entry teacher by:

1. providing a two-week orientation that includes:
   a. lesson planning,
   b. classroom organization,
   c. classroom management, including positive management of student behavior, effective communication for defusing and deescalating disruptive or dangerous behavior, and safe and appropriate use of seclusion and restraint,
   d. an overview of the ABCs Program including the standard course of study and end-of-grade and end-of-course testing, and
   e. the identification and education of children with disabilities.

2. assignment of a mentor on or before the first day on the job;

3. providing working conditions that are appropriate for all novice teachers;

4. giving regular focused feedback to the teacher for improving instruction; an

5. assisting the individual in accessing prescribed course work and professional development opportunities;

6. providing all other supports included in the LEA’s Beginning Teacher Support Program.

Individuals who do not fulfill the requirements of their lateral entry license within the three years they are initially given may be issued another lateral entry license provided they have passed the required NCSBE approved exam(s) for the specialty area(s) in which the license will be issued and at least six years have elapsed since the prior lateral entry license was issued.

1.75 Lateral Entry for Licensed Educators

At the request of an employing school system, an individual who holds a clear license in a teaching, administrative, supervisory, or student services area may be issued a lateral entry license in a teaching area provided he/she meets the state requirements to be designated highly qualified in the teaching area. Licensed educators who are issued a lateral entry license shall be subject to the requirements for lateral entry teachers detailed in Section 1.70 of this policy.

1.80 Residency License

An individual, including those who hold the Permit to Teach or Emergency License, may qualify for a one-year Residency License in a teaching area, with the option to renew twice, within no longer than a three-year period. All requirements to convert a Residency
License to either an IPL or CPL must be completed before the expiration of the second renewal of the Residency License. Individuals must meet all of the following requirements:

1. holds, at a minimum, a baccalaureate degree;
2. has either completed 24 hours of coursework in the requested licensure area or passed the NCSBE required content area examination(s) for the requested licensure area;
3. is enrolled in a recognized Educator Preparation Program (EPP), and;
4. meets all other requirements established by the NCSBE, including completing preservice requirements prior to teaching.

Teachers in the first year of their Residency License must receive 10 days of professional development from the LEA designed to support a successful classroom experience.

Through this training, the LEA will provide:

i. an overview of the school’s/system’s goals, policies, and procedures;
ii. an overview of the State Board of Education's Mission and Goals;
iii. a description of available services and professional development opportunities;
iv. the process for achieving a continuing license;
v. the guidelines for optimal working conditions for all novice teachers;
vi. training on the North Carolina Educator Evaluation System;
vii. a review the NC Standard Course of Study including end-of-grade and end-of-course testing;
viii. a review of local curriculum guides;
ix. training in lesson planning
x. assistance in classroom organization
xi. instruction on classroom management including positive management of student behavior, effective communication for defusing and deescalating disruptive or dangerous behavior, and safe and appropriate use of seclusion and restraint;
xii. an overview of the identification and education of children with disabilities

OR

xiii. completion of North Carolina Effective Teacher Training upon issuance of a Residency License.

The required 10 days of professional development may be completed through one of the following options:

1. The LEA may choose to provide all 10 days during the preservice period, OR,

2. The LEA may provide five days of preservice training with a commitment to provide an additional five days of professional development throughout the teacher’s first year of Residency Licensure.

A Residency License must be requested by a North Carolina public school system and accompanied by a certification of supervision from the recognized EPP in which the individual is enrolled. The local school system shall be responsible for verifying the candidate’s enrollment in an approved EPP. A Residency License is issued for one year and renewable twice at the recommendation of an employing North Carolina school system.

In order to renew a Residency License for the second or the third year, the LEA must verify:

1. the license holder taught at least six calendar months, as defined in Section 1.20 of this policy, during the prior school year, and;
2. continued enrollment with an EPP, and;
3. employment of the teacher in an LEA, and;
4. the license holder completed 10 days of required professional development.
Individuals must complete all requirements, pass NCSBE-required licensure testing requirements, and receive the recommendation of an EPP to convert the Residency License to the Initial or Continuing Professional License within three years of the effective date of the Residency License.

If an individual fails to renew the Residency License for either the second or third year, the current Residency License will expire. Within three years of the effective date of the original Residency License, a Residency License may be reinstated at the request of an LEA if the following conditions are met:

1. The individual taught at least six calendar months during the year when they last held an active Residency License, and;
2. The individual is enrolled with an EPP, and;
3. The individual is employed as a teacher in an LEA.

Military personnel and military personnel spouses whose residency licensure program is interrupted by a call to active duty or relocation to an out-of-state duty station shall be eligible to resume the program of study at the point of separation upon documented return to a duty station and employment in North Carolina public schools.

For Career and Technical Education areas, the State Board may establish alternate criteria related to that area to establish competency in lieu of a baccalaureate degree, as specified in the CTE Licensure Policies and Procedures Manual.

Teachers assigned to multiple subject areas shall be issued a Residency License for one licensure area and may add the additional Residency License area at the request of the employing school system. The additional Residency License areas may be cleared in accordance with Section 1.23 of this policy. Note: The primary Residency licensure area must be cleared through an EPP before any additional areas can be cleared.

Residency Licenses are only issued at the A-level and may be awarded experience credit and graduate pay in compliance with LICN-006.

Current lateral entry license holders may convert to a Residency License provided Residency License qualifications are met; the employing school system submits the request for the conversion; and the lateral entry license is not expired. Individuals who do not fulfill the requirements of the lateral entry license and the lateral license has expired may convert to a Residency License provided that the following conditions are met:

a. pass the required NCSBE-required exam(s), and;

b. meet eligibility requirements for a Residency License

1.81 Residency Licensure for Currently Licensed Educators

At the request of an employing school system, an individual who holds a clear (non-restricted) license in a teaching, administrative, supervisory, or student services area may be issued a Residency License in a teaching area provided the individual meets the State requirements to hold a Residency License in the teaching area. Licensed educators who are issued a Residency License shall be subject to the requirements detailed in Section 1.80 of this policy.

For Career and Technical Education areas, the NCSBE may establish alternate criteria related to that area to establish competency in lieu of a baccalaureate degree, as specified in the CTE Licensure Policies and Procedures Manual.

A Residency License must be requested by the LEA or charter school and accompanied by a certification of supervision from the recognized EPP in which the individual is enrolled.

1.85 International Faculty License

Individuals on a cultural exchange visa who hold at least a baccalaureate degree earned at the equivalent of a regionally accredited institution, meet their countries’ requirements for qualified teachers, and have at least two years of classroom teaching experience may be issued an International Faculty License for a maximum of three years at the bachelor’s level with zero years of experience. With appropriate documentation from the U.S. Department of State, the International Faculty license can be extended for an additional two years under certain circumstances and at the request of the employing LEA or charter school. The International Faculty License is not renewable. To be eligible for this license, the teacher must complete the equivalent of NC’s High Objective State Standard of Evaluation administered by an NCDPI-authorized evaluator.
Individuals on a cultural exchange visa who hold at least a baccalaureate degree earned at the equivalent of a regionally accredited institution and meet their countries' requirements for qualified teachers, but with fewer than two years of classroom teaching experience, may be issued an International Faculty License to participate in a federally approved pilot program for international teachers provided they otherwise meet the “Highly Qualified” requirements of No Child Left Behind. The non-renewable International Faculty License is issued for a maximum of three years.

Teachers issued the International Faculty License may add languages to their license by earning a rating of at least “Advanced Low” proficiency on the ACTFL (American Council on the Teaching of Foreign Languages) Oral Proficiency Test, or, if the language is American Sign Language (ASL), by earning a rating of at least “Advanced” proficiency on The National Technical Institute for the Deaf (NTID) Sign Language Proficiency Interview (SLPI).

1.90 Permit to Teach

Effective July 1, 2016, at the request of the employing LEA, NCDPI may issue a permit to teach for a teaching assignment at the A-00 pay level to persons who hold at least a baccalaureate degree but who do not qualify for a license under any other approach. The permit to teach shall be valid for one year and may not be renewed. When an LEA requests a permit to teach, the LEA must document that no appropriately licensed professionals or persons who are eligible for a residency or lateral entry license are available to accept the position.

Effective July 1, 2018, an LEA or charter school, at its discretion, may request a Permit to Teach for a teacher whose Initial Professional License (IPL) expired June 30, 2018 due to not meeting licensure requirements as long as the LEA identifies the teachers as effective. The July 1, 2018 provision will expire on January 25, 2019.

2.0 Emergency License

Beginning with the 2017-2018 academic year, NCDPI may issue Emergency Licenses for a teaching assignment at the request of the LEA or charter school. The Emergency License is a one-year nonrenewable license issued to an individual who:

1. holds a baccalaureate degree with 18 hours of coursework relevant to the requested licensure area but has not completed a recognized educator preparation program, and;

2. does not qualify for a Residency License.

Applicants for an Emergency License shall meet all other requirements established by the NCSBE, including preservice training, prior to teaching.

History Note: Authority G.S. 115C-270.5; N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06C .0317 ROUTE TO LICENSURE

I. Definitions

Professional Educator or Educator – An administrator, teacher, or student services personnel

Teacher – An individual whose major responsibility is to either teach or directly supervise teaching, as classified by the North Carolina State Board of Education (NCSBE).

Student Services Personnel – An individual providing specialized assistance to students, teachers, administrators, or the education program in general, as classified by the NCSBE. Student services personnel include, but are not limited to, individuals employed in school counseling, school social work, school psychology, audiology, speech-language pathology, and media coordination.

Administrator – An administrator or supervisor who serves in general and program administrator roles, as classified by the NCSBE. Administrators include, but are not be limited to, superintendents, assistant or associate superintendents, principals, assistant principals, or curriculum-instructional specialists.

II. Approved Program Basis for Licensure

Completion of an approved Educator Preparation Program (EPP) shall be the standard and preferred basis for licensure established by the State Board of Education (SBE). The EPP recognition and approval process is described in NCSBE policy TCED-004.
III. Out-of-State Equivalency

An individual who has not completed an approved Educator Preparation Program in North Carolina shall be eligible for a North Carolina license through equivalency if the program completed in another State is equivalent to North Carolina’s standards and guidelines for approved Educator Preparation Programs and is in an area for which the Department of Public Instruction (NCDPI) can issue a license. The Department shall recognize the following situations for equivalency:

1) Completion of an Educator Preparation Program accredited by the Council for the Accreditation of Educator Preparation (CAEP); or,
2) Completion of an education program that meets the standards developed by the National Association of State Directors of Teacher Education and Certification (NASDTEC); or,
3) Completion of an education program in a State with which North Carolina has an interstate agreement, or,
4) Completion of a regionally accredited (ACCJC, HLC, MSCHE, NEASC-CIHE, SACSCOC, orWSCUC) Educator Preparation Program in another State.

IV. Regional Alternative Licensing Centers

Regional alternative licensure centers (RALCs) are authorized to review transcripts and prescribe plans of study leading to licensure through June 30, 2019. The RALCs may continue to support and directly recommend teachers for licensure through June 30, 2022, for plans issued on or before June 30, 2019. These centers work with State-approved Educator Preparation Programs and LEA personnel to provide assistance to Lateral Entry and provisionally licensed teachers.

V. International Transcripts and American Sign Language

Individuals who have earned at least a baccalaureate degree from a regionally accredited institution or an equivalent academic credential in another country, but who are not licensed to teach, may be issued a Lateral Entry License in a World Language based on a rating of at least “Advanced Low” proficiency on the ACTFL (American Council on the Teaching of Foreign Languages) Oral Proficiency Test, and, if available, the Writing Proficiency Test. Individuals who have completed their baccalaureate degree at an institution outside the United States must submit an official educational credential evaluation completed by a recognized educational credential evaluation agency. Educational credential evaluations are not accepted from individual evaluators or from agencies with which the prospective teacher is or has been affiliated.

Individuals who have earned a least a baccalaureate degree from a regionally accredited institution or an equivalent academic credential in another country, but who are not licensed to teach, may be issued a Lateral Entry License in American Sign Language based on a rating of at least “Advanced” proficiency on The National Technical Institute for the Deaf (NTID) Sign Language Proficiency Interview (SLPI).

Prior to June 30, 2019, these candidates must meet Lateral Entry or Residency License requirements per SBE policy LICN-001. After June 30, 2019, these candidates must meet Residency License requirements per SBE policy LICN-001.

VI. NC Pre-Kindergarten Teachers in Non-Public Settings

NC Pre-Kindergarten teachers in non-public settings may work through the Division of Child Development and Early Education (DCDEE) to obtain and maintain their licenses. The DCDEE may request a Lateral Entry license from NCDPI for individuals who meet the requirements for a Lateral Entry license. The DCDEE shall also administer a Beginning Teacher Support Program and License Renewal Program through NCDPI.

VII. Teachers of Critical Language for the North Carolina Virtual Public School

The North Carolina Virtual Public School may request a Lateral Entry License from the Department for individuals who meet the requirements for a Lateral Entry License in a critical language. The Department will issue a program of study outlining the requirements the individual must fulfill to be issued an Initial Professional License. The requirements must be fulfilled within the same time limits as other Lateral Entry teachers. This process will expire on June 30, 2019.

Beginning July 1, 2019, the North Carolina Virtual Public School may recommend a candidate for a Residency License per the processes and requirements outlined in LICN-001.

VIII. Teach for America
Teach for America participants who have successfully completed the Teach for America program on or after January 1, 2008, are entitled to a Continuing Professional License as follows:

1) An appropriate Teach for America official certifies successful completion of the program, and;

2) The candidate has completed three years of teaching in a North Carolina public school, and;

3) The candidate has passed the SBE-required licensure exam(s).

Teach for America participants may apply directly to NCDPI to obtain their Continuing Professional License or their employing LEA may apply on their behalf.

History Note: Authority G.S. 115C-270.20; N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

16 NCAC 06C .0318 LICENSING TESTING REQUIREMENTS
Definitions

Professional Educator or Educator – An administrator, teacher, or student services personnel

Teacher – An individual whose major responsibility is to either teach or directly supervise teaching, as classified by the North Carolina State Board of Education (NCSBE).

Student Services Personnel – An individual providing specialized assistance to students, teachers, administrators, or the education program in general, as classified by the NCSBE. Student services personnel include, but are not limited to, individuals employed in school counseling, school social work, school psychology, audiology, speech-language pathology, and media coordination.

Administrator – An administrator or supervisor who serves in general and program administrator roles, as classified by the NCSBE. Administrators include, but are not be limited to, superintendents, assistant or associate superintendents, principals, assistant principals, or curriculum-instructional specialists.

I. Testing Requirements for a North Carolina License

Individuals seeking a North Carolina professional educator’s license must meet the testing requirements established by the State Board of Education. The Initial Professional License may be converted to a clear Continuing Professional License provided the State Board of Education-required exam is taken at least once during the first year of employment, and passed before or during the second year of employment. Current testing requirements are at the end of this section.

II. Principles of Learning and Teaching (PLT) Exemption for edTPA and PPAT

Beginning on July 1, 2018, a candidate will be exempt from the Principles of Learning and Teaching (PLT) assessment requirement if the candidate can produce evidence of a passing score on a nationally scored edTPA or PPAT assessment.

North Carolina State Board of Education Approved Testing Requirements*

Four digit numbers in the “Required Tests” column indicate the ETS PRAXIS examination required for licensure. Required scores are reported in the final column. Scores for licensure areas with more than one required or available tests are reported separately, by test.

<table>
<thead>
<tr>
<th>AREA OF LICENSURE</th>
<th>CODE</th>
<th>REQUIRED TESTS</th>
<th>REQUIRED SCORE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preschool/Elementary</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Birth through Kindergarten</td>
<td>14</td>
<td>Pearson Test 090 - Foundations of Reading</td>
<td>229</td>
</tr>
</tbody>
</table>
### Elementary (K-6)

<table>
<thead>
<tr>
<th>Test Code</th>
<th>Test Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>025</td>
<td>Pearson Test 203 - Mathematics Subtest</td>
</tr>
<tr>
<td>OR</td>
<td>Praxis Test 7803: CKT Math Subtest (effective until September 2020)</td>
</tr>
<tr>
<td>OR</td>
<td>Praxis Test 7813: CKT Math Subtest (effective beginning September 2019)</td>
</tr>
</tbody>
</table>

### Middle Grades (6-9)

<table>
<thead>
<tr>
<th>Subject</th>
<th>Test Code</th>
<th>Minimum Score</th>
<th>Maximum Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Language Arts</td>
<td>78180</td>
<td>5047</td>
<td>164</td>
</tr>
<tr>
<td>Mathematics</td>
<td>78200</td>
<td>5169</td>
<td>165</td>
</tr>
<tr>
<td>Science</td>
<td>78300</td>
<td>5440</td>
<td>150</td>
</tr>
<tr>
<td>Social Studies</td>
<td>78400</td>
<td>5089</td>
<td>149</td>
</tr>
</tbody>
</table>

### Secondary (9-12)

*Beginning on July 1, 2018, a candidate will be exempt from the Principles of Learning and Teaching (PLT) assessment (test 5624) requirement if the candidate can produce evidence of a passing score on a nationally scored edTPA or PPAT assessment.*

<table>
<thead>
<tr>
<th>Subject</th>
<th>Test Code</th>
<th>Minimum Score</th>
<th>Maximum Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anthropology</td>
<td>433</td>
<td>5081 &amp; 5624</td>
<td>5081 - 158</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>5624 - 157</td>
</tr>
<tr>
<td>Biology</td>
<td>310</td>
<td>5235 &amp; 5624</td>
<td>5235 - 150</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>5624 - 157</td>
</tr>
<tr>
<td>Chemistry</td>
<td>330</td>
<td>5245 &amp; 5624</td>
<td>5245 - 152</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>5624 - 157</td>
</tr>
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<td>Earth Science</td>
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<td>5571</td>
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<td>Economics</td>
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<td>5081 &amp; 5624</td>
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<td>French</td>
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<td>5174 or ACTFL OPI &amp; WPT</td>
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<td>ACTFL - Advanced Low</td>
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<td>Geography</td>
<td>410</td>
<td>5081 &amp; 5624</td>
<td>5081 - 158</td>
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<td>5624 - 157</td>
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<td>ACTFL - Advanced Low</td>
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<td></td>
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<td>Physics</td>
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<td>Political Science</td>
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<td>5081 &amp; 5624</td>
<td>5081 - 158</td>
</tr>
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<td>5624 - 157</td>
</tr>
<tr>
<td>Subject</td>
<td>Score</td>
<td>ACTFL OPI &amp; WPT</td>
<td>Advanced Low</td>
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<tr>
<td>Russian</td>
<td>580</td>
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<td>Advanced Low</td>
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<td>Science (comprehensive)</td>
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<td>5435 - 151, 5624 - 157</td>
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<tr>
<td>Social Studies (comprehensive)</td>
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<td>5081 &amp; 5624</td>
<td>5081 - 158, 5624 - 157</td>
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<td>5081 - 158, 5624 - 157</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>ACTFL - Advanced Low</td>
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<tr>
<td><strong>Special Subject Areas (K-12)</strong></td>
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<td>American Sign Language (ASL)</td>
<td>597</td>
<td>NTID Sign Language Proficiency Interview (SLPI)</td>
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<tr>
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<td></td>
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<tr>
<td>Greek, Modern</td>
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<td>ACTFL OPI &amp; WPT</td>
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<tr>
<td>Health and Physical Education</td>
<td>095</td>
<td>5857</td>
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<tr>
<td>Health Specialist</td>
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<tr>
<td>Japanese</td>
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<tr>
<td>Korean</td>
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<tr>
<td>Music</td>
<td>800</td>
<td>5114</td>
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<td>Physical Education</td>
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<td>Portuguese</td>
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<tr>
<td>Reading (bachelor's level)</td>
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<td>OR</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5206 (effective beginning September 2019)</td>
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<tr>
<td>Reading (graduate level)</td>
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<td>5301</td>
<td>164</td>
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<td>Russian</td>
<td>581</td>
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<td>Advanced Low</td>
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<tr>
<td>Spanish</td>
<td>521</td>
<td>5195 or ACTFL OPI &amp; WPT</td>
<td>5195 - 168</td>
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<td>ACTFL - Advanced Low</td>
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<tr>
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<td>Swahili</td>
<td>595</td>
<td>ACTFL OPI &amp; WPT (if available)</td>
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<tr>
<td>Course Name</td>
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<td>Praxis Test 2</td>
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<td>Turkish</td>
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<tr>
<td>Other Foreign Language****</td>
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<td>Safety and Driver Education</td>
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<td>NCDPI Safety and Traffic Education Program</td>
<td>Pass all course assessments and the program exam, Safety and Traffic Education Program Test, with a score of 80%</td>
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<td><strong>Exceptional Children (K-12)</strong></td>
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<tr>
<td>Academically Gifted</td>
<td>88087</td>
<td>none**</td>
<td>none**</td>
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<tr>
<td>Special Education: Adapted</td>
<td>88092</td>
<td>5545 &amp; 5511</td>
<td>5545 - 158</td>
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<tr>
<td>Curriculum</td>
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<tr>
<td>Special Education: General</td>
<td>88091</td>
<td>Pearson Test 203 - Mathematics Subtest</td>
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<td>Curriculum</td>
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<td>OR</td>
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<td></td>
<td></td>
<td>Praxis Test 7803: CKT Math Subtest (effective until September 2020)</td>
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<td>OR</td>
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<td>Praxis Test 7813: CKT Math Subtest (effective beginning September 2019)</td>
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<td>Behaviorally/Emotionally Disabled</td>
<td>88085</td>
<td>5372 &amp; 5511</td>
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<tr>
<td>Cross Categorical</td>
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<td>5354 &amp; 5511</td>
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<td>Mentally Disabled</td>
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<td>5322 &amp; 5511</td>
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<td>Severely Profoundly Mentally</td>
<td>88002</td>
<td>5322 &amp; 5511</td>
<td>5322 - 156</td>
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<td>Disabled</td>
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<tr>
<td>Learning Disabled</td>
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<td>5383 &amp; 5511</td>
<td>5383 - 151</td>
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<td>Visually Impaired</td>
<td>88083</td>
<td>5282</td>
<td>163</td>
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<tr>
<td><strong>Career-Technical Education (6-12)</strong>*</td>
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<tr>
<td>Family &amp; Consumer Sciences</td>
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<td>5122</td>
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<td>Marketing Education</td>
<td>730</td>
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<tr>
<td>Technology Education</td>
<td>820</td>
<td>5051</td>
<td>159</td>
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<tr>
<td>Business Education</td>
<td>760</td>
<td>5101</td>
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<td><strong>Student Services Personnel</strong></td>
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<tr>
<td>School Counselor</td>
<td>005</td>
<td>5421</td>
<td>156</td>
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<tr>
<td>School Psychologist</td>
<td>026</td>
<td>5402</td>
<td>147</td>
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<tr>
<td>Media Coordinator</td>
<td>076</td>
<td>5311</td>
<td>148</td>
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<tr>
<td>Audiologist</td>
<td>88003</td>
<td>5342</td>
<td>170</td>
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<td>Speech-Language Pathologist</td>
<td>88082</td>
<td>NCBOESLPA Requirements</td>
<td>NCBOESLPA Requirements</td>
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**Administrative/Supervisory**

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<table>
<thead>
<tr>
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<tr>
<td>Curriculum-Instructional</td>
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<td>Specialist</td>
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<td>Media Supervisor</td>
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<td>5412</td>
<td>146</td>
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<tr>
<td>Exceptional Children Program</td>
<td>88099</td>
<td>5412</td>
<td>146</td>
</tr>
<tr>
<td>Administrator</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

*This table only includes licensure areas with NCSBE-required licensure examinations. Content areas without required licensure examinations (e.g., Cherokee-583, Ancient Greek-586, and Theatre Arts-108) are not listed.

** Although no test is required for the Academically Gifted (AIG) license if earned through a recognized Educator Preparation Program, prospective AIG teachers may add the area by passing the Praxis Gifted Education test 5358 with a minimum qualifying score of 157.

*** For more information regarding Career and Technical Education licensure, please refer to the CTE Licensure Policy and Procedures Manual.

**** Any other World Language not listed in this policy for which there is an ACTFL OPI.

** edTPA and PPAT Assessments **

<table>
<thead>
<tr>
<th>Year</th>
<th>Required for Licensure</th>
<th>edTPA Passing Scores</th>
<th>Highly Qualified Score</th>
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<tbody>
<tr>
<td></td>
<td>Y/N</td>
<td>edTPA 13 rubrics</td>
<td>edTPA 15 rubrics</td>
</tr>
<tr>
<td>2017-18</td>
<td>N</td>
<td>32</td>
<td>38</td>
</tr>
<tr>
<td>2018-19</td>
<td>N</td>
<td>32</td>
<td>38</td>
</tr>
<tr>
<td>2019-20</td>
<td>Y</td>
<td>32</td>
<td>38</td>
</tr>
<tr>
<td>2020-21</td>
<td>Y</td>
<td>34*</td>
<td>40*</td>
</tr>
<tr>
<td>2021-22</td>
<td>Y</td>
<td>34*</td>
<td>40*</td>
</tr>
</tbody>
</table>

* These scores are estimates until North Carolina data collected over 2017-2018 and 2018-2019 can be analyzed to determine North Carolina-specific cut scores beginning in 2020-2021.

**The consequential date for edTPA and PPAT begins on September 1, 2019.

History Note:  Authority G.S. 115C-270.15; N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.
Definitions

Professional Educator or Educator – An administrator, teacher, or student services personnel

Teacher – An individual whose major responsibility is to either teach or directly supervise teaching, as classified by the North Carolina State Board of Education (NCSBE).

Student Services Personnel – An individual providing specialized assistance to students, teachers, administrators, or the education program in general, as classified by the NCSBE. Student services personnel include, but are not limited to, individuals employed in school counseling, school social work, school psychology, audiology, speech-language pathology, and media coordination.

Administrator – An administrator or supervisor who serves in general and program administrator roles, as classified by the NCSBE. Administrators include, but are not limited to, superintendents, assistant or associate superintendents, principals, assistant principals, or curriculum-instructional specialists.

I. General Requirements

Continuing Professional Licenses shall be issued with five-year renewal cycles. Holders must renew their licenses at the end of each five-year period. Credit earned for renewal purposes shall apply to the person’s license field(s) and professional duties.

Renewal or reinstatement of a license shall be based on 8.0 units of renewal credit with at least three credits in a teacher’s academic subject area. A unit of credit shall be equal to one quarter hour or two-thirds of a semester hour of Institutes of Higher Education (IHE) credit, or ten clock hours of professional development.

Five-year renewal cycles shall be initially based on the completion of credit requirements to qualify for licensure, or the completion of licensure renewal requirements pursuant to the requirements of LICN-001. A new five-year renewal cycle is established for a Continuing Professional License when an expired license is renewed. A new five-year renewal cycle also is established upon the completion of requirements for converting an Initial Professional License to a Continuing Professional License.

Educators whose licenses expire due to performance issues in the license renewal year must follow the procedures listed in Section 1.20(5) of NCSBE policy LICN-001.

Individuals with expired, non-provisional North Carolina licenses may be eligible for a three-year Initial Professional License at the request of the employing LEA. The individual must complete at least 8.0 renewal credits during the three years as outlined in Section III of this policy. For an educator whose Continuing Professional License reverted to an Initial Professional License and/or expired due to performance issues, the LEAs and charter schools shall have discretion over what professional development is required of the educator. LEAs and charter schools may prescribe professional development to the employee in accordance with his/her demonstrated deficiencies. At the end of the three-year cycle, if all 8.0 renewal credits have been completed, the license will be issued with a new five-year dating cycle or the license remains expired until all renewal credits have been earned. This option shall not be for currently employed individuals who have not met renewal requirements.

II. North Carolina LEA Employees

LEA employees shall maintain an annual professional development plan. During each five-year cycle, teachers shall participate in professional development activities that align with the expectations of the North Carolina Professional Teaching Standards, in the areas of leadership, diverse learners, content knowledge, facilitating learning, and reflective professional practice. An LEA may make additional requirements based on local needs (example: integrating technology to improve student learning - aligned to Standard 4; addressing the needs of diverse learners - aligned to Standard 2). For the purposes of this policy, and pursuant to G.S. 115C-270.10(5), the definition of a “teacher” does not include student services personnel.

A. Pursuant to G.S. 115C-270.30, the following requirements apply to teachers with licenses expiring on June 30, 2018:

1. Teachers of grades kindergarten through five must complete 8.0 renewal credits during each five-year renewal cycle that meet the following requirements:
   a. 3 renewal credits in their academic subject areas (aligned to Standard 3 or 4)
   b. 3 renewal credits addressing literacy defined by G.S. 115C-270.30(b)(2) as “evidence-based assessment, diagnosis, and intervention strategies for students not demonstrating reading proficiency. Oral language, phonemic and phonological awareness, phonics, vocabulary, fluency, and comprehension shall be addressed in literacy-related activities leading to license renewal.”
2. Teachers of grades six through twelve must complete 8.0 renewal credits during each five-year renewal cycle that meet the following requirements:
   a. 3 renewal credits in their academic subject areas (aligned to Standard 3 or 4)
   b. 5 general credits (not to include years of experience) at the discretion of the employing LEA.
      LEAs reserve the right to assign literacy requirements for any educator.

3. Teachers with K-12 licenses must meet the requirements listed above for the grade-span corresponding to their teaching assignment. LEAs reserve the right to assign literacy requirements for any educator.

B. The following requirements apply to teachers with licenses expiring on or after June 30, 2019:

1. Teachers of grades kindergarten through five must complete 8.0 renewal credits during each five-year renewal cycle that meet the following requirements:
   a. 3 renewal credits in their academic subject area (aligned to Standard 3 or 4)
   b. 3 renewal credits addressing literacy defined by G.S. 115C-270.30(b)(2) as “evidence-based assessment, diagnosis, and intervention strategies for students not demonstrating reading proficiency. Oral language, phonemic and phonological awareness, phonics, vocabulary, fluency, and comprehension shall be addressed in literacy-related activities leading to license renewal.”
   c. 2 renewal credits addressing the Digital Learning Competencies

2. Teachers of grades six through twelve must complete 8.0 renewal credits during each five-year renewal cycle that meet the following requirements:
   a. 3 renewal credits in their academic subject areas (aligned to Standard 3 or 4)
   a. 2 renewal credits addressing the Digital Learning Competencies
   b. 3 general credits (not to include years of experience) at the discretion of the employing LEA. LEAs reserve the right to assign literacy requirements for any educator.

C. The following requirements apply to student services personnel with licenses expiring on June 30, 2018:

1. Student services personnel must complete 8.0 renewal credits during each five-year renewal cycle that meet the following requirements:
   a. 3 renewal credits that align with the expectations of the North Carolina standards for their professional discipline area.
   b. 5 general credits (not to include years of experience) at the discretion of the employing LEA.
      LEAs reserve the right to assign literacy requirements for any educator.

D. The following requirements apply to student services personnel with licenses expiring on or after June 30, 2019:

1. Student services personnel must complete 8.0 renewal credits during each five-year renewal cycle that meet the following requirements:
   a. 3 renewal credits that align with the expectations of the North Carolina standards for their professional discipline area.
   b. 2 renewal credits addressing the Digital Learning Competencies
   c. 3 general credits (not to include years of experience) at the discretion of the employing LEA.
      LEAs reserve the right to assign literacy requirements for any educator.

E. Educators completing the National Board for Professional Teaching Standards certification process may earn all 8.0 renewal credits for completion of the process and certification. Those who are in the national board renewal cycle may earn two credits.

F. The following requirements for school administrators apply to individuals with licenses expiring between June 30, 2016 and June 30, 2018:

1. School administrators must earn at least 8.0 renewal credits during each five-year renewal cycle that meet the following requirements:
   a. 3 renewal credits that align with the expectations of the North Carolina School Executive Standards 2, 4, and 5, focused on the school executive’s role as instructional, human resources, and managerial leader
   b. 5 general credits (not to include years of experience) at the discretion of the employing LEA.
      LEAs reserve the right to assign literacy requirements for any educator.

G. The following requirements for school administrators apply to individuals with licenses expiring on or after June 30, 2019:
1. School administrators must earn at least 8.0 renewal credits during each five-year renewal cycle that meet the following requirements:
   a. 3 renewal credits that align with the expectations of the North Carolina School Executive Standards 2, 4, and 5, focused on the school executive’s role as instructional, human resources, and managerial leader.
   b. 2 renewal credits addressing the Digital Learning Competencies
   c. 3 general credits (not to include years of experience) at the discretion of the employing LEA. LEAs reserve the right to assign literacy requirements for any educator.

The following table illustrates the above licensure renewal requirements totaling 8.0 credits outlined in this policy.

<table>
<thead>
<tr>
<th>Credits required for licenses expiring on:</th>
<th>Credits required for licenses expiring on or after:</th>
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<tbody>
<tr>
<td><strong>June 30, 2017 &amp; June 30, 2018</strong></td>
<td><strong>June 30, 2019</strong></td>
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<tr>
<td><strong>Grades K-5:</strong></td>
<td><strong>Grades K-5:</strong></td>
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<tr>
<td>• 3 Subject Area</td>
<td>• 3 Subject Area</td>
</tr>
<tr>
<td>• 3 Literacy</td>
<td>• 3 Literacy</td>
</tr>
<tr>
<td>• 2 General</td>
<td>• 2 Digital Learning Competencies</td>
</tr>
<tr>
<td><strong>Grades 6-12:</strong></td>
<td><strong>Grades 6-12:</strong></td>
</tr>
<tr>
<td>-</td>
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</tr>
<tr>
<td>• 3 Subject Area</td>
<td>• 3 Subject Area</td>
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<tr>
<td>• 5 General</td>
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<td>• 2 Digital Learning Competencies</td>
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<tr>
<td>-</td>
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<tr>
<td>• 5 General</td>
<td>• 2 Digital Learning Competencies</td>
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<td>• 3 General</td>
</tr>
<tr>
<td>• 3 General</td>
<td>-</td>
</tr>
</tbody>
</table>

H. Licensed educators may also obtain renewal credit for the following activities:

1. college or university credit;
2. earning National Board for Professional Teaching Standards certification or completion of the National Board for Professional Teaching Standards certification process (8 units of renewal credit);
3. completing National Board for Professional Teaching Standards Certification renewal (2 units of renewal credit);
4. completion of activities that meet the following criteria (one unit of renewal credit per ten clock hours):
   a. The activity shall be accomplished over time with on-the-job application, feedback, and follow-up.
   b. The activity shall have identified goals and objectives that are designed to increase knowledge or skills and align with the expectations of the North Carolina Professional Teaching Standards.
c. The activity shall include focused content and instruction that are sequenced to develop specified competencies.
d. The activity shall be developed by instructional personnel approved by the sponsoring school unit or employer.
e. The activity shall include a focused evaluation designed to gauge the change in learner knowledge or skill and to guide the development of future programs.

LEAs and governing boards of schools shall assure that all professional development activities which do not carry IHE credit meet the standards contained in this policy. LEAs must adopt a procedure to determine the appropriateness of credit in advance of renewal activities. In determining appropriateness, the LEA must consider direct relationship to critical job responsibilities, school improvement plans, and NCSBE strategic priorities to properly establish credit for the activity.

LEAs may develop an alternative license renewal plan that is competency-based and results-oriented. The plan must describe the connection among professional development, the school improvement plan, and the individual’s license area or job responsibilities through processes such as peer review and annual evaluation. The plan may waive specific hour requirements that a licensed employee must meet and focus instead on knowledge and skill acquired by participants. The plan must align with the expectations of the North Carolina Professional Teaching Standards and include outcome measures and must be submitted to the Department of Public Instruction for review in advance of its implementation.

III. North Carolina Retired Employees

Teachers with 30 or more years of teaching experience in North Carolina may qualify for a retirement license. These licenses have specific renewal requirements as listed below. Individuals with fewer than 30 years of teaching experience in North Carolina do not qualify for a retirement license. Retired teachers with fewer than 30 years of teaching experience in North Carolina, Administrators, and Student Services Personnel, must follow the standard renewal cycle requirements listed in Section III of this policy to maintain a current license.

1. For each license renewal cycle, teachers holding a retirement license must provide evidence of at least 640 hours of documented employment in a local school administrative unit, and; 4.0 credits of professional development (a minimum of 8 hours annually) approved by a local school administrative unit.

2. A local board of education may select a retired principal or retired assistant principal to serve an interim principal for the remainder of any school year, regardless of licensure status.

IV. Non-North Carolina LEA Employees

Persons who hold an NC license but who are not currently employed in the North Carolina public schools or by governing boards of approved nonpublic schools may earn renewal credit through college or university coursework, or local courses and workshops on the same basis as currently employed persons. The Department of Public Instruction shall determine if the credits meet the criteria as outlined. Refer to Section III of this policy for the breakdown of the 8.0 renewal credits.

History Note: Authority G.S. 115C-270.30; N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06C .0320 EXPERIENCE/DEGREE CREDIT FOR SALARY PURPOSES

I. Experience Credit as a Professional Educator

Salary for a NC public school employee shall be determined by the amount of creditable experience an individual has. Credit awarded for professional school experience shall be calculated according to the following rules:

1. Full-time work in a school unit of not less than six calendar months within one fiscal year (July 1 through June 30) shall earn one year of experience credit (excluding experience in a one-teacher private school, for example: homeschool). A calendar month is defined as the number of days employed divided by the number of days in the pay period multiplied by the employee’s percentage of employment.

2. Part-time work shall require a minimum of 15 hours per week to establish experience credit in a school unit. One year of experience can be earned, if the experience totals six calendar months of full-time experience during a single fiscal year.

3. Partial years of full-time or part-time experience can be combined for experience credit. For example, two years of part-time work can be combined for one year of experience, if it is equivalent to six months of full-time experience. Full-time
experience of less than six calendar months in a fiscal year can be combined with another partial year of part-time or full-time experience to equal one year of experience credit.

4. Experience credit for a single year served in two or more school administrative units shall be allowed unless the State Board of Education has been advised that the person’s contract was willfully breached during the school year.

5. Credit for college teaching shall be calculated based on the number of clock hours spent in the classroom teaching per week. Six class hours per week shall be considered half-time teaching and twelve class hours per week shall be considered full-time teaching.

6. Service as a tutor, clerical paraprofessional, or substitute teacher shall not be recognized for professional educator experience credit. It may be recognized for non-teaching work experience credit if it meets the criteria identified below in Section II of this policy.

7. Experience credit as a professional educator shall not be awarded for a period of time designated as a leave of absence except as required by Workmen’s Compensation and the Uniform Services Employment Re-employment Rights Act (USERRA).

8. One full year of experience credit shall be awarded for every two years of full-time instructional duties performed in an instructional setting while on active military duty in the Armed Forces of the United States, regardless of academic degree held while serving in instructional roles. This applies to military veterans initially employed by an NC LEA or Charter School on or after July 1, 2014. “Non-teaching Experience Credit for Military Experience in Instructional Roles” shall be defined as professional work experience in a dedicated instructional setting while on active military duty that is clearly an instructional role and is verifiable on government issued service documents. Military service for which this credit is awarded must be characterized as honorable. This provision does not apply to JROTC instructors covered under Section III of this policy.

II. Experience Credit for Non-Teaching Work Experience

For salary purposes, non-teaching work experience can be credited toward an individual’s total licensure experience rating on the recommendation of the designated personnel administrator of the NC LEA or Charter School which has employed the individual in a professional position.

“Relevant non-teaching work experience” shall be defined as professional work experience in public or private sectors that is directly related to an individual’s area of licensure and work assignment. Credit for non-teaching work experience is not transferable to other licensure areas for which the experience is not relevant. In addition, to be eligible for credit, such experience must meet the following criteria:

1. was at least half-time (20 hours or more per week);
2. was completed after age 18;
3. did not include on-the-job training;
4. was paid and documented.

One year of experience credit can be awarded for every two years of full-time relevant non-teaching work experience completed before the individual earned a bachelor’s degree. One year of experience credit can be awarded for every year of full-time relevant non-teaching work experience completed after the individual earned a bachelor’s degree. For Class V Career-Technical Trade and Industry Education licenses one year of experience credit can be awarded for every year of full-time relevant non-teaching work experience after the individual has completed the required training and work experience to qualify for the provisional license.

Partial years of full-time or part-time experience can be combined for experience credit.

Periodic audits of non-teaching work experience will be conducted by NCDPI and, pursuant to G.S. 143-64.80, LEAs and Charter Schools will be required to repay amounts if duplicate years of experience, experience credit exceeding the policy limits, or credit for non-relevant experience have been awarded.

III. Experience Credit for JROTC

Military experience may be awarded up to a maximum of 10 years for JROTC instructors, based on a minimum of 20 years of service and retirement from the military service.

IV. Non-teaching Experience Credit for Military Experience in Leadership Roles
Consistent with Section II of this policy, at the recommendation of an employing NC LEA, the Department shall award non-teaching experience credit for military experience for leadership roles performed while on active military duty. This applies to military veterans initially employed by an NC LEA starting July 1, 2014.

With respect to non-teaching military work experience that is not directly related to the area of licensure or work assignment, one full year of experience credit shall be awarded for every two years of full-time leadership duties while on active military duty in the Armed Forces of the United States, regardless of academic degree held while in instructional or leadership roles.

“Non-teaching Experience Credit for Military Experience in Leadership Roles” shall be defined as professional work experience in one or more of the official United States military branches while on active military duty that is clearly a leadership role and is verifiable on government issued service documents. Military service for which this credit is awarded must be characterized as honorable. Experience credit for “Leadership Roles” is limited to verifiable experience in a military leadership position with primary responsibility over a team of other military service members following successful completion of a sanctioned military leadership course. Members eligible for this non-teaching work experience credit are: commissioned officers, warrant officers, and non-commissioned officers. Junior enlisted members that have not completed formal military leadership training are excluded from eligibility for this credit.

Non-Teaching work experience that is directly related to an individual’s area of licensure and work assignment shall be credited as set forth in Section II of this policy.

Military experience credit may only be awarded once for each role period (i.e. no overlapping credit award).

This provision does not apply to JROTC Instructors covered under Section III of this policy.

V. Graduate Degrees

NCDPI may authorize salary on the master’s level (or other appropriate) salary schedule for professional educators who hold master’s degrees or advanced degrees that do not lead to a professional educator license if the following criteria are met:

1. The master’s or higher degree is from a regionally accredited IHE.
2. The master’s or higher degree is in an education or subject area directly related to an existing area of licensure and current teaching assignment or instructional support responsibilities.
3. The educator’s assignment for the majority (50% or more) of the school day is in the area for which the master’s or higher degree applies.
4. For teachers and student services personnel who complete a degree at the master's, six-year, or doctoral degree level, they must have either
   a. completed at least one course toward that degree prior to August 1, 2013; or,
   b. qualified for the salary supplement pursuant to State Board of Education policy TCP-A-006/LICN-006, as it was in effect on June 30, 2013.

The regional accrediting agencies are: Middle States Association of Colleges and Schools, New England Association of Schools and Colleges, North Central Association of Colleges and Schools, Northwest Commission on Colleges and Universities, Southern Association of Colleges and Schools, and Western Association of Schools and Colleges.

VI. Appeals Panel

The Department shall establish an Appeals Panel to consider appeals of requests for non-teaching work experience or graduate salary that have not been approved. The panel shall be coordinated by the Licensure Section. Membership of the panel will include LEA Personnel Administrators, higher education faculty, and representatives of professional teacher associations.

History Note: Authority G.S. 115C-302.1; 115C-302.3; N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06C .0321 LICENSURE SUSPENSION AND REVOCATION

I. Licensure Suspension and Revocation
1. The State Board of Education shall automatically revoke the license of a teacher or school administrator without the right to a hearing upon receiving verification of the identity of the teacher or school administrator together with a certified copy of a criminal record showing that the teacher or school administrator has entered a plea of guilty or nolo contendere to or has been finally convicted of any of the following crimes: Murder in the first or second degree, GS 14-17; Conspiracy or solicitation to commit murder, GS 14-18.1; Rape or sexual offense as defined in Article 7A of Chapter 14 of the General Statutes; Felonious assault with deadly weapon with intent to kill or inflicting serious injury, GS 14-32; Kidnapping, GS 14-39; abduction of children, GS 14-41; Crime against nature, GS 14-177; Incest, GS 14-178 or 14-179; Employing or permitting minor to assist in offense against public morality and decency, GS 14-190.6; Dissemination to minors under the age of 16 years, GS 14-190.7; Dissemination to minors under the age of 13 years, GS 14-190.8; Displaying material harmful to minors, GS 14-190.14; Disseminating harmful materials to minors, GS 14-190.15; First degree sexual exploitation of a minor, GS 14-190.16; Second degree sexual exploitation of a minor, GS 14-190.17; Third degree sexual exploitation of a minor, GS 14-190.17A; Promoting prostitution of a minor, GS 14-190.18; Participating in prostitution of a minor, GS 14-190.19; Taking indecent liberties with children, GS 14-202.1; Solicitation of child by computer to commit an unlawful sex act, GS 14-202.3; Taking indecent liberties with a student, GS 14-202.4; Prostitution, GS 14-204; and child abuse under GS 14-318.4.

The Board shall mail notice of its intent to act pursuant to GS 115C-270.35 by certified mail, return receipt requested, directed to the teacher or school administrator at their last known address. The notice shall inform the teacher or school administrator that it will revoke the person’s certificate unless the teacher or school administrator notifies the Board in writing within 10 days after receipt of the notice that the defendant identified in the criminal record is not the same person as the teacher or school administrator. If the teacher or school administrator provides this written notice to the Board, the Board shall not revoke the certificate unless it can establish as a fact that the defendant and the teacher or school administrator are the same person.

2. The SBE may deny an application for a license or may suspend or revoke a license issued by the Department only for the following reasons:
   a. fraud, materials misrepresentation or concealment in the application for the license;
   b. changes in or corrections of the license documentation that make the individual ineligible to hold a license;
   c. conviction or entry of a plea of no contest, as an adult, or a crime if there is reasonable and adverse relationship between the underlying crime and the continuing ability of the person to perform any of his/her professional functions in an effective manner;
   d. final dismissal of a person by a local board pursuant to G.S. 115C.325(e)(1)b if there is a reasonable and adverse relationship between the underlying misconduct and the continuing ability of the person to perform any of his/her professional functions effectively;
   e. final dismissal of a person by a LEA under G.S.115C.325(e)(1)e (physical or mental incapacity);
   f. resignation from employment with a LEA without thirty calendar days’ notice, except with the prior consent of the local superintendent;
   g. revocation of a license by another state;
   h. any other illegal, unethical or lascivious conduct by a person if there is a reasonable and adverse relationship between the underlying conduct and the continuing ability of the person to perform any of his/her professional functions in an effective manner; and
   i. failure to report revocable conduct as required under paragraph (3) of this policy.

3. In addition to any duty to report suspected child abuse, any superintendent, assistant superintendent, associate superintendent, personnel administrator or principal who knows or has reason to believe that a licensed employee of the LEA has engaged in behavior that would justify revocation of the employee’s license under sections (c), (d), or (h) of paragraph (a) of this policy and which behavior involves physical or sexual abuse of a child, shall report that information to the Superintendent of Public Instruction promptly or at least no later than five working days after the date of a dismissal or other disciplinary action or the acceptance of a resignation based upon that conduct. For purposes of this section, the term “physical abuse” shall mean the infliction of physical injury other than by accidental means and other than in self-defense. The term “sexual abuse” shall mean the commission of any sexual act upon a student or causing a student to commit a sexual act, regardless of age of the student and regardless of the presence or absence of consent. This paragraph shall apply to acts that occur on or after October 1, 1993.

4. Upon the receipt of a written request and substantiating information from any LEA, local superintendent or other person in a position to present information as a basis for the suspension or revocation of a person’s license, the Superintendent of Public
Instruction will conduct an investigation sufficient to determine whether reasonable cause exists to believe that the person’s license should be suspended or revoked.

a. If the Superintendent determines that reasonable cause exists to believe that the person’s license should be suspended or revoked on one or more of the grounds specified in paragraph (a) of this policy, the Superintendent shall prepare and file written charges with the SBE.

b. The SBE will review the written charges and determine whether the person’s license should be suspended or revoked based on the information contained in the written charges. If the SBE determines that the written charges constitute grounds for suspension or revocation, it shall provide the person with a copy of the written charges, and notify the person that it will revoke the person’s license unless the person, within 60 days of receipt of notice, initiates administrative proceedings under Article 3, Chapter 150B of the General Statutes. The notice will be sent certified mail, return receipt requested.

5. If the person initiates administrative proceedings the SBE will defer final action on the matter until receipt of a proposed decision as provided for in G.S. 150B-34. If the person does not initiate administrative proceedings within 60 days of receipt of notice, the SBE may suspend or revoke the person’s license at its next meeting.

The SBE may suspend an individual’s license for a stated period of time or may permanently revoke the license, except as limited by G.S. 115C-325(a) (the remainder of the year for resignation without 30 day notice).

6. The SBE may accept the voluntary surrender of a license in lieu of seeking revocation of the license. Before it accepts a voluntary surrender, the SBE shall make findings of fact regarding the circumstances surrounding the voluntary surrender to demonstrate that grounds existed under which the SBE could have initiated license revocation proceedings. The SBE shall treat a voluntary surrender the same as a revocation.

7. The SBE may reinstate a suspended or revoked license or may grant a new license after denial of a license under paragraph (2) of this policy upon an individual’s application submitted no sooner than six months after the suspension, revocation, or denial and a showing that:

a. the action that resulted in suspension, revocation or denial of the license did not involve abuse of minors; moral turpitude or grounds listed in G.S.115C-325(e)(1)(b);

b. the person has no record of subsequent behavior that could have resulted in license revocation; and

c. there is no court order or judicial determination that would prohibit the person from returning to or holding a licensed position.

8. The SBE will notify all other states of all actions, which involve the denial, suspension, revocation, surrender, or reinstatement of a license.

**History Note:** Authority G.S. 115C-270.35; 115C-19(9); N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.

**16 NCAC 06C .0322 LICENSURE FEES**

**NORTH CAROLINA DEPARTMENT OF PUBLIC INSTRUCTION LICENSURE FEES**

<table>
<thead>
<tr>
<th>Application Types</th>
<th>Fees for Applications Opened</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Opened by Individual Educators</strong></td>
<td><strong>Effective January 1, 2017</strong></td>
</tr>
<tr>
<td>In-State Initial Professional License</td>
<td>$70</td>
</tr>
<tr>
<td>Out-of-State Initial Professional License</td>
<td>$100</td>
</tr>
<tr>
<td>Extend Provisional License Area</td>
<td>$60</td>
</tr>
<tr>
<td>Delete License Area</td>
<td>$60</td>
</tr>
<tr>
<td>Change Work Authorization</td>
<td>$60</td>
</tr>
<tr>
<td>Add Area by Program Completion</td>
<td>$60</td>
</tr>
<tr>
<td>Add Experience</td>
<td>$60</td>
</tr>
<tr>
<td>Add Area by Test or 24 Sem. Hrs.</td>
<td>$60</td>
</tr>
<tr>
<td>Add National Board Certification</td>
<td>$60</td>
</tr>
<tr>
<td>Clear Validation</td>
<td>$60</td>
</tr>
<tr>
<td>Upgrade or Clear License Area</td>
<td>$60</td>
</tr>
</tbody>
</table>
Late Renewal | $35
---|---
Name Change | $60
Update Contact Information | No fee
Education Record Correction | No fee
Verification of NC License | $30
Request Copy of Files/Test Scores | $30
Research Experience | $30

Opened by Employing School System on Behalf of Educators

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Alternative License</td>
<td>$100</td>
</tr>
<tr>
<td>Validate an Expired Continuing Professional License</td>
<td>$60</td>
</tr>
<tr>
<td>Extend Initial Professional License</td>
<td>$60</td>
</tr>
<tr>
<td>Recommend Initial to Continuing Professional License</td>
<td>$60</td>
</tr>
<tr>
<td>Upgrade or Clear License Area</td>
<td>$60</td>
</tr>
<tr>
<td>Clear Validation</td>
<td>$60</td>
</tr>
<tr>
<td>Convert to LAT</td>
<td>$60</td>
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<tr>
<td>Convert to CTE</td>
<td>$60</td>
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<tr>
<td>Add Alternative Area</td>
<td>$60</td>
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<tr>
<td>Authorize Graduate Pay</td>
<td>$60</td>
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</table>

Processed by School System during Renewal Window of 4/15 through 7/31

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Fee</th>
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</thead>
<tbody>
<tr>
<td>Renew License</td>
<td>$35</td>
</tr>
<tr>
<td>Recommend Initial to Continuing Professional License</td>
<td>No fee</td>
</tr>
<tr>
<td>Extend Provisional License Area</td>
<td>No fee</td>
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Opened by RALC on Behalf of Educators through June 30, 2022

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Fee</th>
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<tr>
<td>Upgrade of Clear License Area</td>
<td>$60</td>
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<tr>
<td>Convert to Initial Professional License</td>
<td>$60</td>
</tr>
<tr>
<td>Convert to Continuing Professional License</td>
<td>$60</td>
</tr>
</tbody>
</table>

*Licensure fees are non-refundable and non-transferrable.

**History Note:** Authority G.S. 115C-270.10; N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. Pending Consultation pursuant to G.S. 12-3.1.

16 NCAC 06C .0323 PROCEDURE FOR SEEKING EXCEPTION FROM LICENSURE REQUIREMENTS

The State Board of Education will consider requests for one-year extensions of time to satisfy licensure requirements in State Board Policy due to extenuating circumstances for individuals who: (1) following initial licensure, have not completed the course work required to maintain a license; OR (2) have not met other licensure requirements. Extenuating circumstances shall be defined as the illness or physical disability of the teacher; the death or catastrophic illness of a member of the teacher’s immediate family; or other unforeseeable emergencies, beyond the reasonable control of the teacher, that have a direct and immediate impact on the teacher’s ability to complete the licensure requirements.

**Extensions For Required Course Work**

A local board of education may apply to the State Board of Education for a one-year extension of time to satisfy State licensure requirements for an individual who, due to extenuating circumstances, has not completed the course work required to maintain a license. The application must include:

1. A document, signed by the individual, which includes:
   1. A description of the extenuating circumstances that the teacher claims prevented him or her from satisfying the requirements for licensure;
   2. A request for an extension of his or her license for one additional year to complete the course work required to maintain a license; and
   3. An acknowledgment that the teacher understands that the materials submitted to the State Board of Education in support of his or her request are public records subject to disclosure under Chapter 132 of the North Carolina General Statutes.
2. Copies of medical or other documentation to support the individual’s claim of extenuating circumstances
3. A document, signed by the North Carolina principal who most recently supervised the individual, which includes:
   1. The dates the principal supervised the teacher;
2. Sufficient evidence of the individual’s academic and professional preparation to satisfy the State Board of Education that the individual is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to all his or her students; and
3. Statement that in the principal’s opinion the teacher is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to the students in his or her classroom; and
4. A copy of any of the individual’s summative annual evaluations for the past three years.

A local board of education may apply to the State Board of Education for a one-year extension of time to satisfy State licensure requirements for an individual who has not fulfilled licensure requirements, other than course work, due to extenuating circumstances. The application must include:

1. A list of the licensure requirements for which he or she is requesting an extension;
2. A description of the extenuating circumstances that the teacher claims prevented him or her from completing the required course work for a license without undue hardship; and
3. An acknowledgment that the individual understands that the materials submitted to the State Board of Education in support of his or her request are public records subject to disclosure under Chapter 132 of the North Carolina General Statutes.

Extensions for Other Licensure Requirements

A local board of education may apply to the State Board of Education for a one-year extension of time to satisfy State licensure requirements for an individual who has not fulfilled licensure requirements, other than course work, due to extenuating circumstances. The application must include:

1. A statement that the local board of education is satisfied that the teacher’s description of the circumstances is true; and
2. A statement that the local board of education is satisfied that, due to the extenuating circumstances, the teacher could not have completed the required course work for a license without undue hardship;
3. A certification that the local board of education has approved the employment of the teacher for the next school year, subject only to the State Board of Education’s decision to grant the requested one-year extension of the teacher’s provisional license.

2. Sufficient evidence of the individual’s academic and professional preparation to satisfy the State Board of Education that the individual is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to all his or her students; and
3. Statement that in the principal’s opinion the teacher is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to the students in his or her classroom; and
4. A copy of any teaching evaluations the individual received during the past three years.

A document, signed by the chair of the local board of education, which includes:

1. A statement certifying that, based upon a review of the individual’s and the principal’s documentation and evidence, the superintendent believes the individual is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to the students in his or her classroom; and
2. A list of the required course work that the applicant has completed;
3. A description of the efforts that the local school administrative unit will make to assist the teacher to complete the required course work during the next year of teaching; and
4. A statement that the superintendent believes that the applicant is likely to complete the required course work within the one-year extension.

5. A document, signed by the superintendent of the local school system, which includes:

1. A document, signed by the chair of the local board of education, which includes:
   1. A list of the licensure requirements for which he or she is requesting an extension;
   2. A description of the extenuating circumstances that the teacher claims prevented him or her from completing the required course work for a license without undue hardship; and
   3. An acknowledgment that the individual understands that the materials submitted to the State Board of Education in support of his or her request are public records subject to disclosure under Chapter 132 of the North Carolina General Statutes.
2. Copies of medical or other documentation to support the individual’s claim of extenuating circumstances
3. If the individual is not currently employed in a North Carolina public school, the local board shall submit:
   1. Sufficient evidence of the individual’s academic and professional preparation to satisfy the State Board of Education that the individual is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to all his or her students; and
   2. A copy of any teaching evaluations the individual received during the past three years.
4. If the individual is currently employed in a North Carolina public school, the local board shall submit:
   1. Sufficient evidence of the individual’s academic and professional preparation to satisfy the State Board of Education that the individual is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to all his or her students;
   2. A document, signed by the North Carolina principal who most recently supervised the individual, which includes:
      1. The dates the principal supervised the teacher;
      2. A statement that in the principal’s opinion the teacher is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to the students in his or her classroom; and
   3. A copy of any teaching evaluations the individual received during the past three years.
5. A document, signed by the superintendent of the local school system, which includes:

1. A certificate that the local board of education has investedigated the extenuating circumstances that the teacher claims prevented him or her from completing the required course work for a license without undue hardship; and
2. A statement that the local board of education is satisfied that the teacher’s description of the circumstances is true; and
3. A statement that the local board of education is satisfied that, due to the extenuating circumstances, the teacher could not have completed the required course work for a license without undue hardship; and
4. A certification that the local board of education has approved the employment of the teacher for the next school year, subject only to the State Board of Education’s decision to grant the requested one-year extension of the teacher’s provisional license.

A copy of any teaching evaluations the individual received during the past three years.

A description of the efforts that the local school administrative unit will make to assist the teacher to complete the required course work during the next year of teaching; and
6. A statement that the superintendent believes that the applicant is likely to complete the required course work within the one-year extension.

5. A document, signed by the superintendent of the local school system, which includes:

1. A statement certifying that, based upon a review of the individual’s and the principal’s documentation and evidence, the superintendent believes the individual is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to all his or her students; and
2. A list of the required course work that the applicant must complete to qualify for a license; and
3. A list of the required course work that the applicant has completed; and
4. A copy of any teaching evaluations the individual received during the past three years.
5. A list of the required course work that the applicant is requesting an extension; and
6. A list of the required course work for a license without undue hardship; and

5. A document, signed by the superintendent of the local school system, which includes:

1. A statement certifying that, based upon a review of the individual’s and the principal’s documentation and evidence, the superintendent believes the individual is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to all his or her students; and
2. A list of the required course work that the applicant must complete to qualify for a license; and
3. A list of the required course work that the applicant has completed; and
4. A copy of any teaching evaluations the individual received during the past three years.
the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to the students in his or her classroom;

2. A description of the deficiencies that prevent the individual from meeting licensure requirements;

3. A description of any efforts that the local school system has made to assist the individual to complete the licensure requirements; and

4. The reasons the superintendent believes that the individual should be granted a license despite the failure to meet the licensure requirements.

6. A document, signed by the chair of the local board of education, which includes:
   1. A certification that the local board of education has investigated the extenuating circumstances that the individual claims prevented him or her from completing the requirements for a license;
   2. A statement that the local board of education is satisfied that the individual’s description of the circumstances is true;
   3. A statement that the local board of education is satisfied that, due to the extenuating circumstances, the individual could not have completed the requirements for a license without undue hardship;
   4. A certification that the local board of education has approved the employment of the teacher for the next school year, subject only to the State Board of Education’s decision to grant the requested one-year extension of time to satisfy the State licensure requirements.

**Decision of the State Board of Education**

Upon the recommendation of the Chair, the State Board of Education shall appoint two or more members of the Board and at least four professional educators to an Advisory Board on Requests for Extensions for Teacher Licensing Requirements. From those individuals appointed to the Advisory Board, the Chair shall construct review panels consisting of no less than four professional educators and one member of the State Board of Education. The panels shall review those requests for extensions to licensure assigned to them, evaluate the merits of the requests and submit to the State Board of Education recommendations to grant or deny the requests along with any other information the panels deem material.

Each review panel shall be chaired by a member of the State Board of Education. A panel may require the representatives of the local school administrative unit which submitted the application for extension as well as the individual in question to provide additional information, appear before the panel, respond to questions, produce documents and otherwise cooperate with the panel’s efforts to evaluate the merits of a request for extension. With the approval of the chair of the panel, members may participate in panel meetings by telephone.

After it receives the panel’s recommendation, the State Board of Education shall make a decision whether to grant or deny the requested extension. Nothing herein is intended to permit exceptions from licensure requirements mandated by State or federal law.

**History Note:** Authority G.S. 115C-270.5; 115C-270.20; 115C-270-15; N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.

**16 NCAC 06C .0324 CONVERSION OF INITIAL PROFESSIONAL LICENSE TO CONTINUING PROFESSIONAL LICENSE**

To convert an Initial Professional License to a Continuing Professional License, a professional educator must:

1. Meet all testing requirements (see LICN-003(II)), and;
2. Meet all coursework requirements, if applicable (see LICN-001 Section 1.70).

Additionally, to convert an Initial Professional license to a Continuing Professional License, a teacher must participate in a Beginning Teacher Support Program (BTSP) if the teacher has fewer than three years of experience.

**Participation in a Beginning Teacher Support Program**

All teachers with fewer than three years of teaching experience (within or outside of North Carolina) are required to participate in a Beginning Teacher Support Program. The BTSP process is fully described in TCED-016.

A Teacher who previously held a Continuing Professional License and whose license reverted to Initial Professional License is not required to participate in a Beginning Teacher Support Program, but must adhere to the requirements set forth in LICN-001 Section 1.20(5).
An out-of-state teacher with more than three years of experience who does not provide effectiveness data as a part of the application for initial licensure in North Carolina shall only be eligible for an Initial Professional License, but is not required to participate in a BTSP.

History Note: Authority G.S. 115C-270.20; 115C-270.5; 115C-270.15; N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06C .0325 EDUCATOR PREPARATION PROGRAM (EPP) RECOGNITION AND APPROVAL

Definitions

Educator Preparation Program (EPP) - Any entity that prepares, trains, and recommends students for licensure.

I. Authorization

A. EPPs shall be recognized by the State Board of Education to recommend students for licensure. EPPs with a status of Initially Authorized or Authorized will be recognized by the State Board of Education.

Initial Authorization may be granted to an EPP that does not have sufficient data to meet the performance standards outlined in G.S. 115C-269.35 and established by the State Board but meets one of the following criteria:

1. has been approved by the State Board of Education; or
2. is nationally accredited by the Council for the Accreditation of Educator Preparation (CAEP).

B. To attain authorization, an EPP must meet the following minimum standards:

1. Students shall develop a deep understanding of the critical concepts and principles of their discipline and, by completion, be able to use discipline-specific practices flexibility to advance the learning of all students toward attainment of college- and career-ready students.

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

3. Quality of students shall be a continuing and purposeful part of the EPP's responsibility from recruitment, at admission, through the progression of courses and field experiences, and to decisions that completers are prepared to teach effectively and are recommended for licensure. The EPP shall demonstrate that development of student quality is the goal of educator preparation in all phases of the program.

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

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

C. Determining the authorization status of an EPP the SBE shall weigh the following criteria:

1. Regional accreditation of the IHE; either:

   a. full accreditation or accreditation with stipulations
b. full accreditation or provisional accreditation of the IHE.

2. Evidence that during the two preceding consecutive years, 70 percent of the graduates of the EPP have passed the exams required for licensure.

3. National Accreditation of the EPP; either:
   a. full accreditation or accreditation with Areas for Improvement of the EPP by the Council for the Accreditation of Educator Preparation (CAEP); or,
   b. provisional accreditation of the EPP by the Council for the Accreditation of Educator Preparation (CAEP); or,

4. Other evidence that the EPP meets the minimal requirements set forth above.

An EPP approved by the SBE prior to July 1, 2017, shall be considered initially authorized until the earlier of June 30, 2020, or the date of its five-year renewal.

II. EPP Licensure Area Approval

Before the operation of a new licensure area program, an authorized EPP must confirm that the program has been internally vetted by the EPP through the submission of an Assurance Declaration Form provided by the Department of Public Instruction.

IV. Program Renewal

A. Each approved EPP shall continually review its licensure areas. The SBE shall monitor EPP performance through the Annual Performance Reports and EPP Report Cards. The EPP may request or the SBE may conduct a re-evaluation at any time.

B. During the final year of the current five-year approval period, the EPP may arrange for a re-approval committee visit or online review.

History Note: Authority G.S. 115C-12(9); 115C-268.5, N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06C .0326 SANCTIONS FOR EDUCATOR PREPARATION PROGRAMS (EPPS)

SANCTIONS

I. Annual Reporting

A. To assess the on-going quality of educator preparation, the Department of Public Instruction will issue for each North Carolina EPP the following annual reports:

   1. **EPP Annual Performance Report**
   2. **EPP Report Card**
   3. **Risk Assessment**

The State Board of Education (SBE) will use information from these reports to levy sanctions as needed.

II. Warning

DDD. An EPP shall be assigned warned status if the program meets any of the following criteria:

Fails to meet the performance standards set by the SBE for the overall performance of all its students in any one year.

Fails to meet the performance standards set by the SBE in any two sex, race, or ethnicity demographic groups in any one year.

Fails to meet the performance standards set by the SBE for a sex, race, or ethnicity demographic group for two consecutively measured years, regardless of whether the deficiency is in the same demographic group or standard.
The SBE determines that the EPP has violated applicable laws or rules that should result in warned status.

III. Probation

QQ. An EPP shall be assigned probation status if the program meets any of the following criteria:

1. Fails to meet the performance standards set by the SBE for the overall performance of all its students on any of the indicators for two consecutively measured years.

2. Fails to meet the performance standards set by the SBE in any three sex, race, or ethnicity demographic groups on any of the indicators in any one year.

3. Fails to meet the performance standards set by the SBE for a sex, race, or ethnicity demographic group on any of the indicators for three consecutively measured years, regardless of whether the deficiency is in the same demographic group or standard.

4. The SBE determines that the EPP has violated applicable laws or rules that should result in probation status.

5. The EPP receives one or more stipulations in its most recent Council for the Accreditation of Educator Preparation (CAEP) accreditation visit.

IV. Revoked

A. An EPP shall be assigned probation status if the program meets any of the following criteria:

1. Fails to meet the performance standards set by the SBE for the overall performance of all its students on any of the indicators for two consecutively measured years.

2. Fails to meet the performance standards set by the SBE in any three sex, race, or ethnicity demographic groups on any of the indicators in any one year.

The State Board shall give written notice to the EPP by certified mail of an EPP’s revocation of authorized status, including a written explanation of the basis for the revocation. Upon assignment of revoked status of EPP approval, the EPP shall not admit new students, but may complete the training of students already admitted by the program and recommend them for licensure. If necessary, the SBE and other EPPs shall cooperate to assist the previously admitted students of the revoked EPP to complete their training. A revocation shall be effective for a period of at least two years. After two years, the program may seek initial authorization to prepare educators for licensure.

I. Other Sanctions

A. In addition to revocation, this policy allows for the SBE to assign other sanctions deemed necessary, including one or more of the following:

1. Require the EPP to obtain technical assistance approved by the SBE

2. Require the EPP to obtain professional services under contract with another entity

3. Appoint a monitor to participate in and report to the SBE on the activities of the EPP

4. Manage the EPP's enrollment

B. Any sanction authorized or required to be taken against an EPP may also be taken with regard to a program for a particular field of licensure authorized to be offered by an EPP. Any costs associated with the sanctions shall be paid by the EPP.

History Note: Authority G.S. 115C-12(9); 115C-268.5; 115C-269.45; N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.
Initial Teacher Preparation Program (EPP) Minimum Admission Requirements

The following requirements apply to students who seek an Initial Professional License (IPL) or a Residency License (RL).

I. Testing Requirements & Exemptions

A. Testing Requirements

1. Degree-seeking students must satisfactorily complete the Praxis Core Academic Skills for Educators for formal admission to approved North Carolina EPPs. The required scores follow:
   - Core Academic Skills for Educators: Reading 156
   - Core Academic Skills for Educators: Writing 162
   - Core Academic Skills for Educators: Mathematics 150

2. Individuals with a composite score of 468 on Praxis Core Academic Skills for Educators: Reading, Writing, and Mathematics shall be deemed to have satisfied this requirement.

B. Exemptions from Testing Requirements

1. Individuals with a total SAT score of 1100 taken prior to March 2016 are exempt from Praxis Core testing requirements for teacher education program admission. Individuals with a total redesigned SAT score of 1170 taken after March 2016 are exempt from Praxis Core testing requirements for teacher education program admission.

2. Individuals with a total SAT score of less than 1100 taken prior to March 2016, but a score of at least 550 on the Verbal test are exempt from the Preprofessional Skills Tests in Reading and Writing for teacher education program admission. Individuals with a total redesigned SAT score of less than 1170, but a score of at least 600 on the evidence-based reading and writing test are exempt from the Preprofessional Skills Tests in Reading and Writing for teacher education program admission.

3. Individuals with a total SAT score of less than 1100 taken prior to March 2016, but a score of at least 550 on the Math test are exempt from the Preprofessional Skills Test in Mathematics for teacher education program admission. Individuals with a total redesigned SAT score of less than 1170 taken after March 2016, but a score of at least 570 on the Math test are exempt from the Preprofessional Skills Test in Mathematics for teacher education program admission.

4. Individuals with a composite ACT score of 24 are exempt from Praxis I Core testing requirements for teacher education program admission.

5. Individuals with a composite ACT score of less than 24, but with a score of at least 24 on the English test are exempt from the Preprofessional Skills Tests in Reading and Writing for teacher education program admission.

6. Individuals with a composite ACT score of less than 24, but a score of at least 24 on the Math test are exempt from the Preprofessional Skills Test in Mathematics for teacher education program admission.

7. Individuals who hold a bachelor’s degree.

C. An EPP may apply to the State Board of Education for an exemption from PRAXIS Core for an individual who, due to extenuating circumstances, has not been able to pass PRAXIS Core. The application must include:

1. A document, signed by the individual, which includes:
   a. Copies of the official scores for all the PRAXIS Core tests that the individual has taken;
   b. A description of the extenuating circumstances that the individual claims prevented him or her from passing PRAXIS Core and;
   c. An acknowledgment that the individual understands that the materials submitted to the State Board of Education in support of his or her request are public records subject to disclosure under Chapter 132 of the North Carolina General Statutes.

2. The dean of the school of education at the EPP shall submit:
   a. Evidence that the individual has passed tests in reading, writing, and mathematics sufficient to demonstrate that the individual is qualified to successfully complete the teacher education program at the EPP, and;
      a. A copy of the individual’s official transcript at the EPP.

3. Decision of the State Board of Education
Requests for exemptions to teacher education program Praxis Core admission requirements will be considered by the Extenuating Circumstances Committee. The panel may require the dean of the EPP that submitted the application for exemption, as well as the individual seeking the exemption, to provide additional information, appear before the panel, respond to questions, produce documents and otherwise cooperate with the panel’s efforts to evaluate the merits of the request for exemption. With the approval of the chair of the panel, members may participate in panel meetings by telephone.

a. After it receives the panel’s recommendation, the State Board of Education shall make a decision whether to grant or deny the requested exemption.

II. GPA Requirements & Exemptions

A. GPA Requirements
   1. Students must have earned a grade point average of at least 2.7 on a four point scale for formal admission to approved North Carolina EPPs.
   2. A recognized EPP shall ensure that the minimum cohort grade point average for each entering cohort to an EPP is at least a 3.0 on a four point scale.

B. Exemptions from GPA Requirements
   1. The individual GPA requirement does not apply to clinical resident (as defined in 115C-269 (9) students if the hiring local education agency determines that the student meets one of the following criteria:
      a. The student has at least 10 years of relevant experience.
   2. For a program leading to licensure in career and technical education, the student has at least five years of relevant experience.
   2. The Department of Public Instruction will create a list of sample evidences and documentation to guide the local education agencies in determining relevant experience.

History Note: Authority G.S. 115C-12(9); 115C-268.5; 115C-269.15; N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

16 NCAC 06C .0328 REPORTS OF ALLEGED VIOLATIONS REGARDING EDUCATOR PREPARATION PROGRAMS (EPPS)

I. Purpose of the Complaint Process

The complaint process allows for a student of an Educator Preparation Program (EPP) to submit a complaint about an EPP for investigation and resolution.

II. Authority of the State Board of Education

The North Carolina State Board of Education (SBE) has jurisdiction to investigate allegations of noncompliance regarding specific laws and rules. Complaints may address Educator Preparation Program requirements set forth in Article 17(D) of Chapter 115C. The SBE does not have jurisdiction over complaints related to contractual arrangements with an EPP, commercial issues, obtaining a higher grade or credit for training, or seeking reinstatement to an EPP.

III. Process for Filing a Complaint

All complaints filed with the SBE must be in writing. A person or entity may file a written complaint with SBE by filling out and submitting online and/or mailing or faxing a hard copy to the address on the form.

IV. Complaint Process Notification Requirements

1. Each EPP shall provide notification of the official complaint process as follows:
   • On the website of the EPP, if the program maintains a website.
   • On a sign prominently displayed in program facilities.
   • In the student handbook.
2. The State Board shall post the complaint process on the State Board’s website.

**History Note:** Authority G.S. 115C-12(9); 115C-268.5; 115C-269.55; N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27(b); Emergency Rule Eff. August 20, 2019.

**16 NCAC 06C .0329 EDUCATOR PREPARATION PROGRAM (EPP) ACCOUNTABILITY REQUIREMENTS & RISK FACTORS**

Educator Preparation Programs (EPPs) are required to submit Annual Performance Reports to the State Board of Education. The reports will provide the SBE with a focused review of the EPPs and the current authorization process in order to ensure that EPPs produce graduates who are well prepared.

**Annual Performance Report Indicators**

1. **Performance measures disaggregated with respect to race, sex, and ethnicity:**
   a. Performance based on the standards and criteria for annual evaluations of licensed employees
   b. Proficiency and growth of students taught by educators holding an initial professional license, to the extent practicable. When available, EVAAS data shall be used to measure student proficiency and growth
   c. Results from an educator satisfaction survey, developed by the SBE with stakeholder input and disaggregated by pathway as practicable, performed at the end of the educator's first year of teaching after receiving an initial professional license
      1. Undergraduate and MSA programs must receive annually positive ratings from at least 70% of responding graduates
   d. Quality of students entering the EPP, including the average grade point average and average score on preprofessional skills tests or college entrance exams that assess reading, writing, mathematics, and other competencies

2. **Information related to the EPP's compliance with requirements for field supervision of students during their internship and residency experiences.**

3. **The following information, disaggregated by race, sex, and ethnicity:**
   a. The number of students who apply
   b. The number of students formally admitted to educator preparation programs
   c. The number of students retained after one year
   d. The number of students completing the program
   e. The number of students employed as beginning teachers under initial professional licenses by the first anniversary of completing the program
   f. The amount of time required by students employed as beginning teachers under residency licenses to be issued initial professional licenses
   g. The number of students retained in the profession
   h. Any other information required by federal law

4. **The ratio of field supervisors to students completing an internship or residency**

5. **Graduation rates**

6. **Time-to-graduation rates**

7. **Average scores of graduates on professional, pedagogy, and content area examinations for the purpose of licensure**
   a. Undergraduate programs must maintain annually a passing rate of at least 70% on licensure exams aggregated at the EPP level.

8. **Percentage of graduates receiving initial professional licenses.**

9. **The extent to which the program prepares educators, including general education teachers and special education teachers, to effectively teach the following:**
   a. Students with disabilities
   b. Students of limited English proficiency

10. **The activities offered by the program that are designed to prepare educators to meet the Digital Learning Competencies for teacher candidates including:**
    a. Integrate technology effectively into curricula and instruction, including activities consistent with the principles of universal design for learning
    b. Use technology effectively to collect, manage, and analyze data to improve teaching and learning for the purpose of increasing student academic achievement
11. The perseverance of beginning educators in the profession, as determined on the basis of the number of beginning educators who maintain status as active contributing members in the North Carolina State Employee Retirement System at least three years after licensure in comparison to similar programs.

12. The results of surveys given to school principals that involve evaluation of the program's effectiveness in preparing participants to succeed in the classroom, based on experience with employed program participants
   a. Undergraduate and MSA programs must receive annually positive ratings from at least 70% of responding principals.

13. Undergraduate and MSA programs must exhibit direct and ongoing involvement with the public schools.
14. Percent of graduates working in low-wealth and/or high-need schools.
15. Any other information necessary to enable the State Board to assess the effectiveness of the program on the basis of educator retention and success criteria adopted by the State Board.

**Low Performing Designation**

An undergraduate educator preparation program shall be designated as “Low Performing” if:

   a. It receives a status of Probation per TCED-008.

For any criterion that the institution does not meet, it will be required to submit a written plan to the Department of Public Instruction detailing the actions that will be taken to correct the deficiency(ies); technical assistance will be available. The reports will be reviewed by the Professional Educator Preparation and Standards Commission, which may recommend further action (e.g., sending a team to campus; requiring additional information, etc.) If an institution is designated “Low-Performing,” on two consecutive assessments, the Department will conduct an on-site review of the program. The results of this review will be reported to the State Board of Education and may result in sanctions to the licensure program.

**Submission of Annual Performance Reports**

Performance reports shall be provided annually to the SBE and the board of trustees or board of directors of the EPP.

**Information Requests by EPPs**

The SBE will annually provide, upon request, the data required to be included in an EPP's annual performance report. The SBE will provide this information to an EPP as aggregate data and disaggregated by race, sex, and ethnicity.

**EPP Risk Factors**

The SBE will assess and determine an overall risk level for each EPP using a set of risk factors including:

1. A history of the EPP's compliance with state law and rules, with consideration given to the following:
   a. The seriousness of any violation of a law or rule.
   b. Whether the violation resulted in an action being taken against the EPP.
   c. Whether the violation was promptly remedied by the EPP.
   d. The number of alleged violations.
   e. Any other matter considered to be appropriate in evaluating the EPP's compliance history
2. Whether the program meets the SBE accountability performance standards.
3. Whether an institution is accredited by CAEP.

**Use of Risk Factors**

The State Board shall use the rules for risk factors when conducting monitoring, inspections, and compliance audits of EPPs, including evaluations associated with approval renewals.

*History Note: Authority G.S. 115C-12(9); 115C-268.5; 115C-269.40; N.C. Constitution, Article IX, Sec. 5:*
16 NCAC 06C .0330 TEACHER ASSISTANTS AND INTERNSHIPS

If a teacher assistant (TA) enrolls in an Educator Preparation Program for the purpose of obtaining licensure, the local education agency (LEA) must provide the TA with the opportunity to complete an internship in the same LEA. Local education agencies are encouraged, but not required, to assign teacher assistants to a different classroom during an internship than the classroom they are assigned to as a TA. To the extent possible, they may be assigned to another school within the same LEA.

The LEA must continue to pay the salary and benefits of a TA who is interning in the same LEA where they are employed as a teacher assistant.

History Note: Authority G.S. 115C-12(9); 115C-268.5; 115C-269.25; 115C-269.30; N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

16 NCAC 06C .0331 SCHOOL ADMINISTRATOR PREPARATION PROGRAMS

I. Definitions

School Administrator Preparation Program - Any accredited or approved entity that prepares, trains, and recommends students for school administration.

II. General School Administrator Program Requirements

a. The program shall be jointly established by one or more institutions of higher education, not-for-profit entities, or for-profit entities, and a local education agency or nonpublic school.

b. The responsibility and roles of each partner in the design, implementation and administration of the program shall be set forth in a memorandum of understanding (MOU) signed by each partner. The MOU shall be revised on a triennial basis and must address at least the following:

1. the process and responsibilities of each partner for the selection and assessment of candidates;
2. the establishment of the internship and any field experiences, and the specific roles of each partner in providing those experiences, as applicable;
3. the development and implementation of a training program for mentors and faculty supervisors that supports candidates' progress during their internships in observing, participating, and demonstrating leadership;
4. names and locations of non-partnering school districts and nonpublic schools where the internship and any field experiences may occur; and
5. the process to evaluate the program, including the partnership, and the role of each partner in making improvements based on the results of the evaluation.

c. Each program shall offer curricula that address student learning and school improvement aligned with the North Carolina School Executive Standards and focus on:

1. all grade levels (i.e., preschool through grade 12);
2. the role of instruction (with an emphasis on literacy and numeracy), curriculum, assessment and needs of the school or district in improving learning;
3. all students, with specific attention on students with special needs (e.g., students with disabilities, English language learners, gifted students, students in early childhood programs); and
4. collaborative relationships with all members of the school community (e.g., parents, school board members, local school councils or other governing councils, community partners);
5. the role of instructional and student services personnel.
III. **Internship Requirements**

a. Each School Administrator Preparation Program shall include an internship.

b. The internship portion of the program shall be conducted at one or more public or nonpublic schools so as to enable the candidate to be exposed to and to participate in a variety of school leadership situations in settings that represent diverse economic and cultural conditions and involve interaction with various members of the school community.

1. The internship shall consist of the following components:
   
   A. Engagement in instructional activities that involve teachers at multiple grade levels, including teachers in general education, special education, bilingual education and gifted education settings;
   
   B. Observation of the hiring and supervision of teachers, other licensed staff, and non-licensed staff, and development of a professional development plan for teachers; and
   
   C. Participation in leadership opportunities.

c. A public or nonpublic school may serve as an internship site if:

1. the principal of the school:
   
   A. holds a valid and current principal license;
   
   B. if the internship site is located in another state, holds a valid and current license that is comparable to the North Carolina principal license.

2. In all cases, the principal shall have two years of successful experience as a building principal as evidenced by relevant data with approval from the district superintendent.

d. Each program shall assign a faculty member to serve as faculty supervisor for the internship portion of the program.

e. Each preparation program shall

1. provide multiple opportunities for school leader candidates to be observed and coached by program faculty and staff;

2. facilitate the evaluation of school leader candidates during and at the end of the internship based on the North Carolina School Executive Evaluation Rubric

3. provide clear expectations for and firm commitment from school leaders and faculty members who will oversee the internship of candidates

4. provide faculty supervisors to work in collaboration with site mentors to complete the assessment of the candidate's performance during the internship.

f. Programs shall ensure that each candidate successfully completes the training.

IV. **Coursework Requirements**

a. The coursework required by each program shall address the North Carolina School Executive Standards including but not limited to:

1. State and federal laws, regulations and case law affecting NC public schools;

2. use of technology for effective teaching and learning and administrative needs;

3. use of a process that determines how a child responds to research-based interventions that are designed to screen students who may be at risk of academic failure; monitor the effectiveness of instruction proposed for students identified as at risk; and modify instruction as needed to meet the needs of each student;

4. skill in observing and analyzing the teaching of literacy and numeracy and their application across content areas using developmentally appropriate and differentiated strategies to meet the needs of all learners;
5. understanding the importance of creating and promoting an engaging, safe school climate;
6. the process to be used to evaluate licensed staff; and,
7. effective leadership and implementation strategies to facilitate professional practices and manage change.

b. A portion of the required coursework shall include “field experiences”, i.e., multiple experiences that are embedded in a school setting and relate directly to the core subject matter of the course. The preparation program shall determine the courses for which completion of field experiences will be required and the time allotted to field experiences across all courses in the curriculum.

V. Candidate Selection

Candidates admitted to a program for school administrator preparation shall be selected through an in-person or virtual interview process. Programs will adopt rigorous selection criteria based on competencies that are predictive of success as a school leader, including, but not limited to, evidence of significant positive effect on student learning and climate in the classroom, at the school-level, and the local school administrative unit-level, professional recommendations, evidence of problem solving and critical thinking skills, achievement drive, leadership of adults, and strong oral and written communication skills.

VI. Program Approval and Review

School administrator preparation programs will be subject to the Educator Preparation Program approval and renewal process described in TCED-004.

History Note: Authority G.S. 115C-12(9); 115C-284(c); 115C-284.1; N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06C .0332 BEGINNING TEACHER SUPPORT
Overview of the Beginning Teacher Support Program

All LEAs/Charters shall implement a Beginning Teacher Support Program (BTSP). The BTSP is a required, three-year induction program for beginning teachers (BTs). The North Carolina Beginning Teacher Handbook is a reference guide for LEAs/Charter Coordinators to use during the implementation of a BTSP. This handbook provides resources, templates, and examples to successfully implement and maintain their Beginning Teacher Support Program.

Goals of the Beginning Teacher Support Program

One primary and direct goal of the BTSP is to help new teachers improve skills and build confidence to become successful educators. BTs will only reach their fullest potential with systems of support from the state, school district, local school and quality mentors. North Carolina’s program includes these components in order to provide a systematic structure of support for beginning teachers.

Other goals of the BTSP are to ensure that BTs:

- meet the state’s professional teaching standards;
- impact the learning of all students in distinguished ways and;
- choose to remain in the profession and become future master teachers, teacher leaders, skilled administrators and superintendents.

Beginning Teacher Support Program Standards Overview

These standards are designed to assist local districts and charter schools in creating and implementing successful BTSPs. A more in-depth breakdown of these standards can be found in the North Carolina Beginning Teacher Handbook.

Standard 1: Systematic Support for High Quality Induction Programs – This standard is designed to promote the commitment of all stakeholders in seeing mentoring and induction programs succeed. Key program elements include the creation of an institutional plan, demonstrating institutional commitment and support and principal engagement.
Standard 2: Mentor Selection, Development, and Support – This standard articulates the process and criteria for mentor selection, discusses mentor roles and responsibilities, and delineates foundational mentor training. Key program elements include mentor selection, defining the role of mentors and mentor professional development.

Standard 3: Mentoring for Instructional Excellence – Mentors are given protected time to provide beginning teachers with support to achieve success in the areas set forth by the North Carolina Professional Teaching Standards. Key program elements include providing time for mentors and beginning teachers, ensuring mentoring is focused on instruction and addresses issues of diversity.

Standard 4: Beginning Teacher Professional Development - Professional development is provided to beginning teachers that orients them to their new career and supports their efforts to meet the North Carolina Professional Teaching Standards. Key program elements include structured orientation to school site and professional development designed to meet the unique needs of beginning teachers and aligned with the North Carolina Professional Teaching Standards and the North Carolina Teacher Evaluation System.

Standard 5: Formative Assessment of Candidates and Programs – New teachers and mentoring programs are monitored and supported using a formative assessment system to guide their work. Key program elements include formative assessment systems and program evaluation.

Mentor Standards Overview

The Mentor Standards were designed to focus on what knowledge, skills, and dispositions beginning teachers need and clearly articulate how mentors can help teachers attain them. A more in-depth breakdown of mentor standards and the mentor standards continuum can be found in the North Carolina Beginning Teacher Handbook.

Standard 1: Mentors Support Beginning Teachers to Demonstrate Leadership – Mentors utilize effective communication skills to establish quality professional and confidential relationships with beginning teachers to impart knowledge of ethical standards, instructional best practice, and leadership opportunities.

Standard 2: Mentors Support Beginning Teachers to Establish a Respectful Environment for a Diverse Population of Students – Mentors support beginning teachers to develop strong relationships with all learners, their parents or guardians, and the community through reflective practice on issues of equity and diversity.

Standard 3: Mentors Support Beginning Teachers to Know the Content They Teach – Mentors have strong knowledge of the North Carolina Standard Course of Study (NCSCOS) and 21st century goals and assist beginning teachers in the utilization of these tools to promote student achievement.

Standard 4: Mentors Support Beginning Teachers to Facilitate Learning for Their Students - Mentors support beginning teachers in their understanding and use of student assessment tools to drive student achievement.

Standard 5: Mentors Support Beginning Teachers to Reflect on Their Practice - Mentors continually work on improving their mentoring and observation skills to improve their effectiveness with beginning teacher support.

Professional Teaching Standards Overview

The North Carolina Professional Teaching Standards are the basis for teacher preparation, teacher evaluation, and professional development and define what teachers need to know and do to be able to teach students in the 21st Century.

Standard 1: Teachers Demonstrate Leadership

- Teachers lead in their classrooms,
- Teachers demonstrate leadership in the school,
- Teachers lead the teaching profession,
- Teachers advocate for schools and students,
- Teachers demonstrate high ethical standards.

Standard 2: Teachers Establish A Respectful Environment For A Diverse Population Of Students

- Teachers provide an environment in which each child has a positive, nurturing relationship with caring adults,
- Teachers embrace diversity in the school community and in the world,
- Teachers treat students as individuals,
- Teachers adapt their teaching for the benefit of students with special needs.
• Teachers work collaboratively with the families and significant adults in the lives of their students.

**Standard 3: Teachers Know The Content They Teach**

• Teachers align their instruction with the North Carolina Standard Course of Study.
• Teachers know the content appropriate to their teaching specialty.
• Teachers recognize the interconnectedness of content areas/disciplines.
• Teachers make instruction relevant to students.

**Standard 4: Teachers Facilitate Learning For Their Students**

• Teachers know the ways in which learning takes place, and they know the appropriate levels of intellectual, physical, social, and emotional development of their students.
• Teachers plan instruction appropriate for their students.
• Teachers use a variety of instructional methods.
• Teachers integrate and utilize technology in their instruction.
• Teachers help students develop critical thinking and problem solving skills.
• Teachers help students work in teams and develop leadership qualities.
• Teachers communicate effectively.
• Teachers use a variety of methods to assess what each student has learned.

**Standard 5: Teachers Reflect On Their Practice**

• Teachers analyze student learning.
• Teachers link professional growth to their professional goals.
• Teachers function effectively in a complex, dynamic environment.

**Beginning Teacher Support Program (BTSP) Requirements**

The purpose of the BTSP is to provide support to new teachers entering the profession. Every LEA and Charter must have a BTSP and a Beginning Teacher Support Program Plan (BTSP Plan) that has been approved by the local board and NCDPI and on file for review at the LEA, charter school, or non-public institution. The BTSP plan must be aligned to the Beginning Teacher Support Program standards and, when monitored, must demonstrate proficiency. A template is provided to guide Coordinators in the development and approval of the BTSP plan in the North Carolina Beginning Teacher Support Program Handbook.

BTSP Plans shall include the following:

1. **A documented process for identifying and verifying all BTs.**
   
   That process must consider the following:
   
   • Teachers with three or more years of appropriate experience are not required to participate in the BTSP, nor are student services personnel (e.g., media coordinators, counselors), administrators, and curriculum-instructional specialists.
   • Once a continuing license has been earned in one teaching area, additional teaching areas do not require a BTSP experience.
   • Beginning teachers must be assigned in their area of licensure.
   • The BT must follow NCSBE requirements for all required licensure tests (see SBE Policy Manual).
   • Beginning Teacher Licensure Conversion Process: Effective July 1, 2016, teachers who hold an Initial license are eligible to convert to a continuing license once all required coursework has been successfully completed, all NCSBE approved examinations have been passed, and the teacher has completed three years of teaching. Teachers with fewer than three years of teaching experience, however, are required to continue participating in a Beginning Teacher Support Program regardless of their licensure status.
   • Collect Beginning Teacher Data for the State of the Teaching Profession in North Carolina Report: For purposes of GS 115C-12(22) and SB333, the State Board of Education is required to monitor and compile an annual report on the decisions of teachers who leave the teaching profession. The template for this data are available in the North Carolina Beginning Teacher Support Program Handbook.

2. **Plan for implementing a sound BT Induction process.**
Teachers with fewer than three years of teaching experience are required to participate in the NC Beginning Teacher Support Program for three years. According to GS 115C-325, for licensing purposes, a “year,” shall be not less than 120 workdays in a full-time permanent position. LEAs/Charters may also apply this to determining experience years for its beginning teachers. A BT Induction process ensures that:

a. The BT is provided and attends a formal orientation within two weeks of their first day of work in any school year. Orientation includes:

i. Documentation that each beginning teacher attended an orientation.

ii. Documentation that orientation was conducted within two weeks of the teacher’s first day of work in any school year.

iii. At a minimum, the teacher should receive an overview of the school’s/system’s goals, policies, and procedures; a description of available services and training opportunities; a copy of the BTSP and the process for achieving a continuing license; develop and distribute optional working conditions guidelines*; the North Carolina Teacher Evaluation Process (NOTE: A local board shall use the North Carolina Professional Teaching Standards and North Carolina Teacher Evaluation Process unless it develops an alternative evaluation that is properly validated and that includes standards and criteria similar to those in the North Carolina Professional Teaching Standards and North Carolina Teacher Evaluation Process); the NC Standard Course of Study; local curriculum guides; the safe and appropriate use of seclusion and restraint of students; and the State Board of Education’s Mission and Goals.

*To ensure that beginning teachers have the opportunity to develop into capable teachers, the following working conditions are required:

- mentor assigned early, and in close proximity;
- limited preparations;
- limited non-instructional duties**;
- limited number of exceptional or difficult students; and
- no extracurricular** assignments unless requested in writing by the beginning teacher.

**The term “non-instructional duties” refers to those that are not directly involved with the instructional program or the implementation of the standard course of study, but that all teachers are expected to do. Examples would be bus duty, lunch duty, and hall duty. The term “extracurricular activities” refers to those activities performed by a teacher involving students that are outside the regular school day and not directly related to the instructional program.

b. Each year, the BT is assigned a mentor. All local boards are expected to have a mentor program to provide ongoing support for new teachers entering the profession. Their programs must follow the following guidelines:

i. LEAs shall select excellent, experienced, and qualified teachers to serve as mentors.

1. Mentor teachers must be rated at least at the “proficient” level on the North Carolina Educator Effectiveness System (NCEES). For the purposes of this policy, “proficient” means a teacher has received ratings of proficient or higher on three of the five standards on the most recent summative evaluation, or on Standards 1 and 4 for teachers on an Abbreviated Evaluation.

2. Retired teachers are eligible to serve as mentors.

3. The principal shall determine which mentor teacher best meets the needs of each new teacher and shall assign the most appropriate mentor teacher to that new teacher, with priority consideration for those mentor teachers rated as "distinguished" and "accomplished." For the purposes of this policy, “distinguished” means a teacher has received ratings of distinguished on three of the five standards to include Standard 4 on the most recent summative evaluation, or on Standard 4 for teachers on an Abbreviated Evaluation. For the purposes of this policy, “accomplished” means a teacher has received ratings of accomplished or higher on three of the five standards to include Standard 4 on the most recent summative evaluation, or on Standard 4 for teachers on an Abbreviated Evaluation.

4. If a principal determines that a teacher rated as "proficient" or a retired teacher is the most appropriate mentor for a new teacher, the principal shall maintain records of the reasons for that determination.

5. LEAs may use the most recently available evaluation for teachers who lack an evaluation from the prior year. Teachers without evaluation data for two or more consecutive years shall not be eligible to serve as mentor teachers, unless the mentor is a retired teacher.
6. Any teacher who is assigned to be a mentor to a beginning teacher must meet eligibility requirements in the year of the assignment. No mentor whose evaluation falls below the “proficient” level may continue to serve as a mentor to a beginning teacher, regardless of existing mentor-mentee relationships with the beginning teacher.

7. A teacher may be a mentor at a different school building from which the mentor is assigned if the following criteria are met:
   a. The principals of each school and the mentor teacher approve of the assignment.
   b. The mentor teacher is rated, through formal evaluations, at least at the “accomplished” level as part of the North Carolina Teacher Evaluation System. For the purposes of this policy, “accomplished” means a teacher has received ratings of accomplished or higher on three of the five standards to include Standard 4 on the most recent summative evaluation, or on Standard 4 for teachers on an Abbreviated Evaluation.
   c. The new teacher's principal maintains a record of the reasons for selecting the mentor from a different school building.

   iii. Local school systems/charter schools are responsible for providing training and support for mentors. LEAs/Charters may choose to use programs developed by the Department of Public Instruction, other programs, or develop programs of their own based on the NC Mentor Standards. If other programs are used or developed, they must be based on the current NC Mentor Standards. Mentors need the knowledge, skills, and attitudes to be effective instructional coaches, emotional supports, and organizational guides to those entering the profession.

   c. Each year, each beginning teacher is required to develop a Professional Development Plan (PDP) that is developed in collaboration with his/her principal (or the principal's designee) and mentor.
      i. The plan is to be based on the North Carolina Professional Teaching Standards, and must include goals, strategies, and assessment of the beginning teacher's progress in improving professional skills.
      ii. At the beginning, middle, and end of each year, formative assessment conferences including the BT, mentor and principal should be held to reflect on the progress of the beginning teaching in meeting the goals established the professional growth. Signatures of BT, mentor, and principal are required for each formative assessment conference.

   d. Each year, the BT completed any professional development required or prescribed by the LEA or charter.

3) A formal process for conducting observations and a summative evaluation on all Beginning Teachers. All beginning teachers shall be evaluated as outlined in the policy establishing the Teacher Performance Appraisal process (see SBE Policy Manual) and in accordance with HB 1030, Section 8.32(h) and (i).

4) Plan for participation in BTSP Monitoring. Each LEA/Charter with approved BTSP plans will be monitored for compliance with this policy. Monitoring is completed on a five-year revolving cycle. Technical assistance is provided as necessary to address areas of concern.

5) Plan for participation in the BTSP Peer Review Process. In order to assist LEAs/Charters in progressing along the BTSP continuum to provide the highest quality support to beginning teachers, LEAs/Charters with approved BTSP plans will participate in a regionally-based annual peer review. The Peer Review process includes an annual self-assessment and a peer review with a critical friend (filed annually with NCDPI).

Data from the annual peer reviews will be summarized and analyzed by NCDPI on a five-year cycle.

6) Statement on how BT's personnel files (files that include the teacher’s PDP and performance evaluation report(s)) are filed and secured

7) Plan for a timely transfer of BT files to subsequent employing LEAs, charter schools, or non-public institutions within the state
16 NCAC 06C_0333  CLINICAL PRACTICE IN EDUCATOR PREPARATION PROGRAMS (EPPS)
This policy sets forth the requirements for clinical partnerships and practice in Educator Preparation Programs with a clinical student teaching component.

Definitions:
Clinical educator – An individual employed by a partner school, including a classroom teacher, who assesses, supports, and develops a clinical intern's knowledge, skills, and professional disposition during an internship.
Clinical internship or internship – Type of field experience in which a clinical intern works under the supervision of a clinical educator and may be delegated those duties granted to an educator and any other part of the school program for which the clinical educator is responsible.
Clinical residency or residency – Type of field experience in which a clinical resident who already holds a bachelor's degree is enrolled in a recognized EPP and also employed by a local school administrative unit as an educator and supervised by the recognized EPP in partial fulfillment of the recognized EPP's training requirements.

Requirements:
The State Board of Education requires that EPPs shall:
Establish and maintain collaborative, formalized partnerships with elementary and secondary partner schools that are focused on student achievement, continuous school improvement, and the professional development of elementary and secondary educators, as well as those preparing educators.
Work collaboratively with elementary and secondary schools and enter into a memorandum of understanding with local school administrative units or the partner school where students are placed or employed. In the memorandum, the EPP and the local school administrative unit, as applicable, shall:
Define the collaborative relationship between the EPP and the local school administrative unit or partner school and how this partnership will be focused on continuous school improvement and student achievement.
Adopt a plan for collaborative teacher selection, orientation, and clinical intern/clinical resident placement.
Determine how information will be shared and verified between the EPP and local school administrative unit or partner school.
Field Experience Requirements – To the extent practicable, EPPs shall require, in all programs leading to initial professional licensure, the following:
Field experiences in every semester that include organized and sequenced engagement of students in settings that provide them with opportunities to observe, practice, and demonstrate knowledge and skills. The experiences shall be systematically designed and sequenced to increase the complexity and levels of engagement with which students apply, reflect upon, and expand their knowledge and skills, and to increase in each semester prior to the student's internship the number of hours spent in field experiences.
A minimum of two hours of field experience in the first semester of the program and a cumulative total of at least 12 hours of field experiences prior to the student's internship.
At least one field experience in a low-performing school.
Clinical Practice Requirements – EPPs shall require clinical practice in the form of one of the following:
Internship that lasts for a minimum of 16 weeks. Internships may be over the course of two semesters and shall, to the extent practicable, provide field experiences at both the beginning and ending of the school year. It shall be the responsibility of a clinical educator, in cooperation with the principal and the representative of the EPP, to assign to the intern responsibilities and duties that will provide adequate preparation for teaching.
Residency that meets the following criteria:
The residency lasts for a minimum of one year.
The EPP provides ongoing support to a student for the full term of the residency.
The EPP assigns a clinical educator to the resident.
The resident completes field experiences and training defined in each EPP's Assurances to the State Board of Education prior to the residency.
Clinical Educator Requirements - The EPP shall ensure clinical educators who supervise students in internships and residencies meet the following requirements:
Be professionally licensed in the field of licensure sought by the student.
Have a minimum of three years of experience in a teaching role.
Have been rated, through the educator's most recent formal evaluations, at least at the "proficient" level as part of the North Carolina Teacher Evaluation System, or the equivalent on an evaluation system utilized by another state or partner school, as applicable. For the purposes of this policy, "proficient" means a teacher has received ratings of proficient or higher on all five standards on the most recent summative evaluation, or on Standards 1 and 4 for teachers on an Abbreviated Evaluation.
The principal shall determine which clinical educator best meets the needs of each intern and shall assign the most appropriate clinical educator to that intern, with priority consideration for those clinical educators rated as "distinguished" and "accomplished." For the purposes of this policy, "distinguished" means a teacher has received ratings of distinguished on three of the five standards to include Standard 4 on the most recent summative evaluation, or on Standard 4 for
teachers on an Abbreviated Evaluation. For the purposes of this policy, "accomplished" means a teacher has received ratings of accomplished or higher on three of the five standards to include Standard 4 on the most recent summative evaluation, or on Standard 4 for teachers on an Abbreviated Evaluation.

If a principal determines that a teacher rated as "proficient" is the most appropriate clinical educator for an intern, the principal shall maintain records of the reasons for that determination.

Require the ed Teacher Performance Assessment (edTPA) or the Praxis Performance Assessment for Teachers (PPAT), nationally normed and valid pedagogy assessments, to determine clinical practice performance for all teacher candidates. All student teachers shall meet passing scores and mastery criteria to be determined by the State Board of Education. The edTPA or the PPAT may replace the Praxis Principles of Learning and Teaching (PLT) tests for Secondary education teacher candidates.

History Note: Authority G.S. 115C-269.1; 115C-269.5; 115C-269.10; 115C-269.15; 115C-269.25; 115C-269.30; N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06C .0701 MODEL EMPLOYMENT CONTRACT FOR TEACHERS

All contracts between a local board of education, as defined in G.S. 115C-5(5), and a teacher, as defined in G.S. 115C-325.1(6), shall contain the following:

A statement that the contract is effective only if approved by a majority of the local board at an officially called meeting of the local board.

The term of the contract. Such term may be for any length permitted by law. At the conclusion of the contract term, the local board may, but is not required to, re-employ the teacher by offering the teacher a subsequent contract as provided by law.

An indication of the compensation that the teacher shall receive for professional services performed pursuant to the contract. Such compensation shall be at a rate consistent with the North Carolina General Statutes, the salary schedule for teachers established by the State of North Carolina, and any local supplement that may apply. If the teacher is to be paid from local funds, the compensation will be consistent with the local salary schedule adopted pursuant to G.S. 115C-302.1(h).

With respect to qualifications:

The teacher's obligation to maintain a North Carolina teaching license valid for the teacher's area of assignment.

The teacher's obligation to inform the local board's Human Resources Office in the event that the teacher's license is revoked, suspended, expired, or not renewed for any reason.

A statement that the teacher is solely responsible for obtaining and maintaining the required licensure.

With respect to duties:

A requirement that the teacher shall perform all duties assigned by the superintendent or superintendent's designee, and required by the laws of the State of North Carolina.

A statement that the contract does not give the teacher a right to any particular assignment or school site.

A requirement that the teacher agrees to become familiar with and abide by the policies and practices of the local board and the North Carolina State Board of Education, and to abide by the laws of the State of North Carolina and the United States.

With respect to special duties:

A statement that, if there are special duties or assignments for which the local board has agreed to compensate the teacher, those will be described in a separate agreement and the additional compensation will not be considered salary for the purpose of computing the teacher's salary under the provisions of G.S. 115C-325.1 et seq.

A statement that any return to regular duties is not a demotion as defined by law.

A provision that explains the teacher's entitlement to health care benefits, earned leave and such other benefits as are available pursuant to the laws of the State of North Carolina and the policies and practices of the local board.

Any requirements for termination of the contract initiated by the teacher pursuant to the provisions and procedures provided in G.S. 115C-325.1 et seq.

Any requirements for alteration or termination of the contract by the local board pursuant to the provisions and procedures provided in G.S. 115C-325.1 et seq.

With respect to modification, a statement that the contract is subject to modification as a result of subsequent legislative enactments.

With respect to severability, a statement that if any provision of the contract is held to be invalid or unenforceable, such provision shall be severed and shall be inoperative, and the remainder of the contract shall remain in full force and effect.

A statement indicating that the contract shall be governed by the laws of the State of North Carolina.

Any other provisions deemed necessary or appropriate by the parties, or as required by law.

The model teacher contract is found online on the Department of Public Instruction website.

History Note: Authority Session Law 2013-360, Sec. 9.6(e); N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06D .0107 STATE GRADUATION REQUIREMENTS
The year a student enters grade nine for the first time determines the graduation course requirements the student must meet. In order to graduate and receive a high school diploma, students entering grade nine for the first time in 2014-2015 and beyond shall pass the Future-Ready Core course of study as described below.

Note: The Occupational Course of Study is available for those students with disabilities who are specifically identified for this program. These requirements are listed in Section II below for students entering grade 9 for the first time in 2017-18. These requirements are listed in Section III below for students entering grade 9 for the first time in 2014-15.

Note: For information regarding how course credits may be earned and other courses that satisfy these requirements, such as dual enrollment and other advanced courses, see SBE policies CCRE-001 and GRAD-008.

FOR STUDENTS ENTERING GRADE 9 FOR THE FIRST TIME IN 2014-2015. FUTURE-READY CORE COURSE OF STUDY
(22 credits)
Students entering ninth grade for the first time in 2014-2015 must pass the following courses:

1. Four sequential English credits which shall be:
   a. Starting with English I
   b. English II
   c. English III
   d. English IV

2. Four Mathematics credits which shall be either
   a. NC Math 1, 2, and 3 and a fourth mathematics course to be aligned with the student’s post high school plans
   b. In the rare instance a principal exempts a student from the Future-Ready Core mathematics sequence, except as limited by N.C.G.S. §115C-81(b), the student will be required to pass: NC Math 1 and Math 2 plus two additional courses identified on the NC DPI Math options chart.

   Note: Credit shall be awarded for Math I, II, III if taken prior to the 2016-17 school year.

3. Three Science credits which shall be:
   a. a physical science course
   b. Biology
   c. an earth/environmental science course

4. Four Social Studies credits which shall be:
   a. American History: Founding Principles, Civics and Economics
      i. This course must follow the NCSCOS in its entirety and may not be satisfied by an Advanced Placement (AP), International Baccalaureate (IB) or Cambridge International Examination (CIE) courses, dual enrollment or any other course that does not fully address the NCSCOS.
   b. American History I
   c. American History II
   d. World History

5. One Health and Physical Education credit
   a. Students are required to successfully complete CPR instruction to meet Healthful Living Essential Standards as a requirement for high school graduation.
   b. Accommodations/alternative assessments for students identified by ADA or IDEA will be provided.

6. Two Elective credits of any combination from either:
   a. Career and Technical Education (CTE) or
   b. Arts Education or

7. World Language

   Note: For clarification, possible elective combinations may include 2 World Language credits; or 1 CTE credit and 1 Arts Education credit; or 2 CTE credits; or 1 Arts Education credit and 1 World Language credit; or other combinations from a, b and c.

8. Four Elective credits from the following (four-course concentration recommended):
   a. Career and Technical Education (CTE)
   b. ROTC
   c. Arts Education (e.g., dance, music, theater arts, visual arts)
   d. Any other subject area or cross-disciplinary courses (e.g., mathematics, science, social studies, English and dual enrollment courses)
II. FOR ELIGIBLE STUDENTS ENTERING GRADE 9 FOR THE FIRST TIME IN 2017-2018. Students following the Occupational Course of Study must pass the following 22 credits plus any local requirements:

1. Four English credits that shall be:
   a. English I
   b. English II
   c. English III
   d. English IV

2. Three Mathematics credits that shall be:
   a. Introduction to Mathematics
   b. NC Math I
   c. Financial Management

3. Two Science credits that shall be:
   a. Applied Science
   b. Biology

4. Two Social Studies credits that shall be:
   a. American History: Founding Principles, Civics and Economics
   b. American History I or American History II

5. One Health and Physical Education credit
   a. Students are required to successfully complete CPR instruction to meet Healthful Living Essential Standards as a requirement for high school graduation.
   b. Accommodations/alternative assessments for students identified by ADA or IDEA will be provided.

6. Six Occupational Preparation Education credits, which shall be Occupational Preparation I, II, III, and IV (i.e., completion of 150 hours of school-based training with work activities and experiences that align with student’s post school goals, 225 hours of community-based training, and 225 hours of paid employment or 225 hours of unpaid vocational training, unpaid internship, paid employment at community rehabilitation facilities, and volunteer and/or community services hours.

7. Four Career/Technical Education Elective credits

8. A career portfolio

9. Completion of the student’s IEP objectives

III. FOR ELIGIBLE STUDENTS ENTERING GRADE 9 FOR THE FIRST TIME IN 2014-2015. Students following the Occupational Course of Study must pass the following 22 credits plus any local requirements:

1. Four English credits that shall be:
   a. English I
   b. English II
   c. English III
   d. English IV

2. Three Mathematics credits that shall be:
   a. Introduction to Mathematics
   b. NC Math I
   c. Financial Management

3. Two Science credits that shall be:
   a. Applied Science
   b. Biology

4. Two Social Studies credits that shall be:
   a. American History I
   b. American History II

5. One Health and Physical Education credit
   a. Students are required to successfully complete CPR instruction to meet Healthful Living Essential Standards as a requirement for high school graduation.
   b. Accommodations/alternative assessments for students identified by ADA or IDEA will be provided.

6. Six Occupational Preparation Education credits, which shall be Occupational Preparation I, II, III, and IV (i.e., completion of 150 hours of school-based training with work activities and experiences that align with student’s post school goals, 225 hours of community-based training, and 225 hours of paid employment or 225 hours of unpaid vocational training, unpaid internship, paid employment at community rehabilitation facilities, and volunteer and/or community services hours.

7. Four Career/Technical Education Elective credits

8. A career portfolio

9. Completion of the student’s IEP objectives
IV. FOR STUDENTS ENTERING GRADE 9 FOR THE FIRST TIME IN 2012-2013.
In order to graduate and receive a high school diploma, students entering grade nine for the first time in 2012-2013 shall pass the Future-Ready Core course of study as described below.

Note: The Occupational Course of Study is available for those students with disabilities who are specifically identified for this program.

FUTURE-READY CORE COURSE OF STUDY. (22 credits) Students entering ninth grade for the first time in 2012-2013 and following the Future-Ready Core must pass the following courses:

1. Four sequential English credits which shall be:
   a. Starting with English I
   b. English II
   c. English III
   d. English IV

2. Four Mathematics credits which shall be either:
   a. Math I, II, III and a fourth mathematics course to be aligned with the student’s post high school plans or
   b. Algebra I, Geometry, Algebra II and a fourth mathematics course to be aligned with the student’s post high school plans or
   c. Integrated Mathematics I, II, and III and a fourth mathematics course to be aligned with the student’s post high school plans

   Note: Students seeking to complete minimum application requirements for UNC universities must successfully complete four mathematics courses which include a mathematics course with either Math III or Algebra II or Integrated Mathematics III as a pre-requisite.

   Note: In the rare instance a principal exempts a student from the Future-Ready Core mathematics sequence, except as limited by N.C.G.S. §115C-81(b), the student will be required to pass:
   i. Math I and Math II plus two additional courses from those courses listed on the NCDPI Math Options Chart.
   ii. Algebra I and Geometry plus either Alternate Mathematics I and Alternate Mathematics II or two application-based mathematics courses from those courses listed on the NCDPI Math Options Chart.
   iii. Integrated Mathematics I and Integrated Mathematics II plus either Alternate Mathematics I and Alternate Mathematics II or two other application-based mathematics courses from those courses listed on the NCDPI Math Options Chart.

3. Three Science credits which shall be:
   a. a physical science course
   b. Biology
   c. an earth/environmental science course

4. Four Social Studies credits which shall be:
   a. American History: Founding Principles, Civics and Economics
   b. American History I
   c. American History II
   d. World History

5. One Health and Physical Education credit
   a. Students are required to successfully complete CPR instruction to meet Healthful Living Essential Standards as a requirement for high school graduation.
   b. Accommodations/alternative assessments for students identified by ADA or IDEA will be provided.

6. Two Elective credits of any combination from either:
   a. Career and Technical Education (CTE) or
   b. Arts Education or
   c. World Language (Credits in the same second language or demonstration of proficiency in a language other than English as determined by the LEA; Minimum course requirements for UNC universities require students to pass two years of a world language)

   Note: For clarification, possible elective combinations may include 2 World Language credits; or 1 CTE credit and 1 Arts Education credit; or 2 CTE credits; or 1 Arts Education credit and 1 World Language credit; or other (combinations from a., b. and c.).

7. Four Elective credits from the following (four-course concentration recommended):
   a. Career and Technical Education (CTE)
   b. ROTC
   c. Arts Education (e.g., dance, music, theater arts, visual arts)
   d. Any other subject area or cross-disciplinary courses (e.g., mathematics, science, social studies, English and Career and College Promise.

V. FOR STUDENTS ENTERING GRADE 9 FOR THE FIRST TIME IN 2009-2010 and 2010-2011 or 2011-2012.
In order to graduate and receive a high school diploma, students entering grade nine for the first time in 2009-2010 and 2010-2011 or 2011-2012 shall pass the Future-Ready Core course of study.

Note: The Occupational Course of Study is available for those students with disabilities who are specifically identified for this program.

FUTURE-READY CORE COURSE OF STUDY. (21 credits) Students entering ninth grade for the first time in 2009-2010 and 2010-2011 or 2011-2012 and are following the Future-Ready Core must pass the following courses:

1. Four sequential English credits which shall be:
   a. Starting with English I
   b. English II
   c. English III
   d. English IV
   (Effective with the 10th grade class of 2011-2012, Early College High School students shall either complete the English I-IV courses referenced above or shall complete the courses described below:
      • English I
      • English II
      • English III and IV shall be satisfied by the following combination of four courses:
      • English 111 (Expository Writing);
      • Either 112 (Argument-Based Research), 113 (Literature-Based Research), or 114 (Professional Research and Reporting); and
      • Either English 231: American Literature I (literature to the Civil War)
      • English 232: American Literature II (literature from the Civil War to modern day) English 233:
        Major American Writers English 234: Modern American Poets; and
      • Either English 241: British Literature I (literature from the Romantic Period) English 242: British
        Literature II (literature from the Romantic Period to modern day), and English 243: Major British
        Writers

2. Four Mathematics credits which shall be either:
   a. Algebra I, Geometry, Algebra II and a fourth mathematics course to be aligned with the student’s post high school plans or
   b. Integrated Mathematics I, II, and III and a fourth mathematics course to be aligned with the student’s post high school plans

   Note: Students seeking to complete minimum course requirements for UNC universities must successfully complete four mathematics courses which include a mathematics course with either Algebra II or Integrated Mathematics III as a pre-requisite.

   Note: In the rare instance a principal exempts a student from the Future-Ready Core mathematics sequence, except as limited by N.C.G.S. §115C-81(b), the student will be required to pass:
      i. Algebra I and Geometry plus either Alternative Mathematics I and Alternative Mathematics II or
         two application-based mathematics courses as determined by the LEA or
      ii. Algebra I and Algebra II plus either Alternative Mathematics I and Alternative Mathematics II or
         two application-based mathematics courses as determined by the LEA or
      iii. Integrated Mathematics I and Integrated Mathematics II plus either Alternative Mathematics I and
         Alternative Mathematics II or two other application-based mathematics courses as determined by
         the LEA.

3. Three Science credits which shall be:
   a. a physical science course
   b. Biology
   c. an earth/environmental science course

4. Three Social Studies credits which shall be:
   a. Civics and Economics
   b. US History
   c. World History

   Note: Effective with students entering the ninth grade for the first time in 2003-04, World History must be taken to meet the requirements of World Studies.

5. One Health and Physical Education credit
   a. Students are required to successfully complete CPR instruction to meet Healthful Living Essential Standards as a requirement for high school graduation by the 2014-15 school year.
b. Accommodations/alternative assessments for students identified by ADA or IDEA will be provided.

6. Two Elective credits of any combination from either:
   a. Career and Technical Education (CTE) or
   b. Arts Education or
   c. World Language (Credits in the same second language or demonstration of proficiency in a language other than English as determined by the LEA. Minimum application requirements for UNC universities require students to pass two years of a world language.)
   Note: For clarification, possible elective combinations may include 2 World Language credits; or 1 CTE credit and 1 Arts Education credit; or 2 CTE credits; or 1 Arts Education credit and 1 World Language credit; or other (combinations from a, b, and c).

7. Four Elective credits (four-course concentration recommended) from one of the following: ELIGIBLE STUDENTS ENTERING GRADE 9 FOR THE FIRST TIME IN 2000-2001 may follow the Occupational Course of Study. Students following the Occupational Course of Study must pass the following 22 credits plus any local requirements:
   a. Career and Technical Education (CTE)
   b. ROTC
   c. Arts Education (e.g., dance, music, theater arts, visual arts)
   d. Any other subject area or cross-disciplinary courses (e.g., mathematics, science, social studies, English and courses e.g., dual enrollment, Huskins or Learn and Earn.)
   e. Four English credits that shall be:
      a. Occupational Course of Study English I
      b. Occupational Course of Study English II
      c. Occupational Course of Study English III
      d. Occupational Course of Study English IV
   f. Three Mathematics credits that shall be:
      a. Occupational Course of Study Introduction to Mathematics
      b. Occupational Course of Study Algebra I (Math A)
      c. Occupational Course of Study Financial Management
   g. Two Science credits that shall be:
      a. Occupational Course of Study Applied Science
      b. Occupational Course of Study Biology
   h. Two Social Studies credits that shall be:
      a. American History I
      b. American History II
   i. One Health and Physical Education credit
   j. Six Occupational Preparation Education credits, which shall be Occupational Preparation I, II, III, and IV (i.e., completion of 300 hours of school-based training, 240 hours of community-based training, and 360 hours of paid employment or 360 hours of unpaid vocational training, unpaid internship, paid employment at community rehabilitation facilities, and volunteer and/or community services hours for the 2012-2013 school year).
   k. Four Career/Technical Education Elective credits
   l. A career portfolio
   m. Completion of the student’s IEP objectives
VI. FOR STUDENTS ENTERING GRADE 9 FOR THE FIRST TIME PRIOR TO 2009–10. In order to graduate and receive a high school diploma, students entering grade nine for the first time prior to the 2009–10 school year shall select and pass as defined in State Board of Education Policy GCS-L-004 (High School Transcript) one of the four courses of study (i.e., College/University Preparation, College Technical Preparation, Career Preparation, or Occupational), and meet proficiency standards defined in State Board of Education policy GCS-N-003, and meet local school board requirements.

A. COLLEGE/UNIVERSITY PREPARATION COURSE OF STUDY. (For students entering ninth grade for the first time prior to 2009–10.) Students following the College/University Preparation course of study must pass the following 20 credits plus any local requirements:

1. English credits which shall be:
   a. English I
   b. English II
   c. English III
   d. English IV

2. Mathematics credits depend on the year the student entered grade 9:
   a. Students entering the ninth grade for the first time in 2002–03 and beyond must pass 4 Mathematics credits which shall be either:
      i. Algebra I, Geometry, Algebra II, and a higher level mathematics course for which Algebra II is a prerequisite or
      ii. Integrated Mathematics I, II, and III and one course beyond Integrated Mathematics III.
   b. Students entering the ninth grade for the first time prior to 2002–03 must pass 3 Mathematics credits which shall be either:
      i. Algebra I, Geometry, and Algebra II or a higher level mathematics course for which Algebra II is a prerequisite or
      ii. Integrated Mathematics I, II, and III.

3. Three Science credits which shall be:
   a. a physical science course
   b. Biology
   c. an earth/environmental science course

4. Three Social Studies credits which shall be:
   a. Civics and Economics
   b. US History
   c. World History
   Note: Effective with students entering the ninth grade for the first time in 2003–04, World History must be taken to meet the requirements of World Studies.

5. One Health and Physical Education credit

6. Two credits in the same world language or demonstration of proficiency in a language other than English as determined by the LEA.

7. Elective credits depend on the year the student entered grade nine.
   a. Students entering the ninth grade for the first time in 2002–03 and beyond must pass 3 elective credits
B. **Students entering the ninth grade for the first time prior to 2002–03** must pass 4 elective credits

**COLLEGE TECHNICAL PREPARATION COURSE OF STUDY.** (For students entering ninth grade for the first time prior to 2009-10.) Students following the College Technical Preparation course of study must pass the following 20 credits plus any local requirements:

1. **Four English credits which shall be:**
   a. English I
   b. English II
   c. English III
   d. English IV

2. **Three Mathematics credits which shall be one of the following:**
   a. Algebra I, Geometry, and Algebra II or
   b. Algebra I, Technical Mathematics I and II or
   c. Integrated Mathematics I, II, and III.
   Note: A student who is pursuing this course of study may also meet the requirements of a College/University course of study by passing one additional mathematics course for which Algebra II or Integrated Mathematics III is a prerequisite, and effective with the class entering the ninth grade for the first time in the 2002-03 school year, two credits in the same second language.

3. **Three Science credits which shall be:**
   a. a physical science course
   b. Biology
   c. an earth/environmental science course

4. **Three Social Studies credits which shall be:**
   a. Civics and Economics
   b. US History
   c. World History
   d. Note: Effective with students entering the ninth grade for the first time in 2003-04, World History must be taken to meet the requirements of World Studies.

5. **World Language is not required.**
   Note: A student who is pursuing this course of study may also meet the requirements of a college/university course of study by passing one additional mathematics course for which Algebra II is a prerequisite, and effective with the class entering the ninth grade for the first time in the 2002-03 school year, two credits in the same world language.

6. **One Health and Physical Education credit**

7. **Four Career/Technical Education credits which shall be in a career concentration or pathway that leads to a specific career field and which shall include a second-level (advanced) course.**

8. **Two elective credits**
   Note: A student who is pursuing this course of study may also meet the requirements of a College/University course of study by passing one additional mathematics course for which Algebra II is a prerequisite, and effective with the class entering the ninth grade for the first time in the 2002-03 school year, two credits in the same second language.

C. **CAREER PREPARATION COURSE OF STUDY.** (For students entering 9th grade for the first time prior to 2009-10.) Students following the Career Preparation course of study must pass the following 20 credits plus any local...
requirements:

1. Four English credits which shall be:
   a. English I  
   b. English II  
   c. English III  
   d. English IV  

2. Three Mathematics credits, one of which shall be Algebra I (except as limited by G.S. § 115C-81(b)); Note: This requirement may be met with Integrated Mathematics I and II when accompanied with the Algebra I end-of-course (EOC).

3. Three science credits which shall be:
   a. a physical science course  
   b. Biology  
   c. an earth/environmental science course  

4. Three Social Studies credits which shall be:
   a. Civics and Economics  
   b. US History  
   c. World History  
   Note: Effective with students entering the ninth grade for the first time in 2003-04, World History must be taken to meet the requirements of World Studies.

5. One Health and Physical Education credit  

6. Two elective credits  

7. Four credits in Career/Technical Education, which shall be in a career concentration or pathway that leads to a specific career field and which shall include a second-level (advanced) course; or 4 credits in one of the four disciplines in arts education (e.g., theatre, music, visual arts, or dance) or 4 credits in ROTC.

History Note: Authority G.S. 115C-12(9c); 115C-81(b)(4); 115C-12(9d); 115C-81.25(c)(10); N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06D .0211 TEXTBOOK EVALUATION ADVISORS

A. The Textbook Commission shall appoint textbook evaluation advisors. To the extent possible, the advisors shall be representatives of each of the eight education regions of the state. The Textbook Commission has the right to remove any advisor with the approval of the State Superintendent.

All advisors appointed by the Textbook Commission shall be qualified by training and experience to evaluate textbooks, as referenced in TEXT-000, for use in the public schools. In appointing these advisors, the Textbook Commission shall consider the textbook scheduled for adoption during that adoption period, and shall ensure the advisors have expertise in the content and grade levels for which textbooks are to be adopted.

B. The advisors shall perform all of their prescribed duties according to the schedule developed by the Department and under the direction of the Textbook Commission. The advisors, using the criteria developed by the Department of Public Instruction, shall assist the Textbook Commission in the evaluation of textbooks presented for adoption. Before beginning to evaluate textbooks each advisor shall participate in a comprehensive orientation and training session.

C. The State Superintendent will assign to members of the Department the responsibility of assisting the advisors in the performance of their duties.
D. Advisors who are not under contract with a local school administrative unit for the designated period shall receive a salary of $150 per day for not more than 10 days. Advisors who are under contract with a local school administrative unit for the designated period, or are employed by another state agency, will receive their regular salaries during a regular school/work day and will receive a salary of $150 per day on non-school/work days when approved by their employer for dual employment. All advisors will be reimbursed for travel and subsistence expenses as allowed for state employees.

History Note:  Authority G.S. 115C-89; N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

16 NCAC 06D .0212 TEXTBOOK PUBLISHERS REGISTRY

A. In accordance with G.S. 115C-94, the State Superintendent of Public Instruction or designee shall maintain a register of all publishers who submit textbooks, as referenced in TEXT-000, for adoption by the SBE. The State Superintendent shall prescribe the information required for registration.

B. Publishers shall be registered on the NC Publishers Registry in order to receive the State Board of Education-approved Invitation to Submit Textbooks for Evaluation and Adoption in North Carolina which shall provide the required procedures for submission, evaluation, and adoption of textbooks. Publishers are required to follow the procedures set forth in the invitation. Failure to comply with all procedures, including stated deadlines, may result in disqualification. Only publishers on the NC Publishers Registry will be sent the invitation and can submit textbooks for evaluation and adoption.

C. Each publishing company piloting textbook materials being submitted for consideration in the current adoption year shall notify the Textbook Commission, in writing, which materials are being piloted and in which local education agencies materials are being piloted. The Textbook Commission shall notify all local superintendents involved in piloting textbook materials prior to the end of the textbook selection process that the materials they are piloting may or may not be accepted by the Commission.

D. Contact with the State Board of Education, the Textbook Commission, advisors, and the Department must be limited.

1. The Commission may meet publicly with representatives of publishers to discuss the Commission’s plans and procedures for adoption of textbooks.

2. At no time during the adoption process (from the time the State Board approves the invitation until the State Board adopts the list of textbooks) may the publishers or any of their representatives meet privately with members of the Textbook Commission, the State Board of Education, evaluation advisors, or the Department staff involved in submission, evaluation, or adoption process.

3. A period of time shall be set aside for the Textbook Commission to meet and deliberate before a list of textbook recommendations is taken to the State Board of Education for adoption. Publishers will have time to present additional information to the Commission if their title(s) have been excluded from the list of recommendations. The procedure for reconsideration shall be described in the Invitation to Submit Textbooks for Evaluation and Adoption in North Carolina.

E. Publishers may not exercise undue pressure.

1. For purposes of restrictions, “undue pressure” means personal contact, whether in person, by telephone, or in written form, that attempts to advocate for the selection of a particular book or series of books. “Undue pressure” does not include social contact or presentations to the Textbook Commission as a whole, and does not include written communication with Textbook Commission members or agency officials following acceptance or rejection of a submission in an effort to seek clarification or reconsideration.

2. The State Superintendent shall remove from the NC Publishers Registry any publisher whose representatives attempt to exercise undue pressure of any kind to adopt its books upon a member of the Textbook Commission, the advisors, or the Department.

3. The State Board of Education shall direct the State Superintendent of Public Instruction to remove from the NC Publishers Registry any publisher whose representatives attempt to exercise undue pressure of any form upon a member of the State Board of Education to adopt its books.

History Note:  Authority G.S. 115C-89; N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

16 NCAC 06D .0307 TEST ADMINISTRATION IN PUBLIC SCHOOLS
Test Administration
Only persons who are employed by the school system, either permanently or contractually, and have professional training in education (preferably a North Carolina educator's license) and the state testing program shall administer secure tests to students.

The North Carolina Department of Public Instruction (NCDPI) shall supply the tests to the local education agencies (LEAs).

LEAs shall:
- account to the NCDPI for all tests received;
- provide a secure, locked storage facility for all tests received;
- prohibit the reproduction of any or all parts of the test; and
- prohibit their employees from disclosing the content of the tests or specific items contained in the tests to persons other than authorized employees of the LEA.

LEAs must monitor test administration procedures. If school officials discover any instance of improper administration and determine that the validity of the test results has been affected, they must notify the local board of education, declare a misadministration, and order the affected students to be re-tested. Only the superintendent and the LEA test coordinator have the authority to declare misadministrations at the local level.

The Superintendent of Public Instruction may conduct audits of LEAs if he/she receives written complaints which allege improper test administration, and he/she may require the re-testing of students.

The NCDPI shall score or have scored all tests in the North Carolina Testing Program. In addition, the department shall provide score interpretative services to the LEAs.

LEAs shall, at the beginning of each school year, provide information to students and parents or guardians advising them of the districtwide and state-mandated tests that students will be required to take during that school year. In addition, LEAs shall advise students and parents or guardians of the dates the tests will be administered and how the results from the tests will be used. Also, information provided to parents shall include whether the State Board of Education or the local board of education requires the test(s).

LEAs shall report scores resulting from the administration of districtwide and state-mandated tests to students and parents or guardians along with available score interpretation information within thirty (30) days from generation of the score at the LEA level or receipt of the score and interpretive documentation from the NCDPI.

In order to ensure adequate representation and the generalizability of the data used to develop tests and to conduct evaluation studies, selected LEAs and schools, determined through stratified random samples, shall participate in field testing and other sample testing such as the National Assessment of Educational Progress (NAEP) and other national or international assessments as designated by the department or the SBE.

**History Note:** Authority G.S. 115C-12(9); N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

16 NCAC 06D.0308 ROLE OF THE TESTING COORDINATOR
The local superintendent shall act as or appoint a school system (LEA) testing and accountability coordinator to assist in the local administration, reporting, and interpretation of test results and other accountability measures in the North Carolina Testing Program.

LEA testing and accountability coordinators shall attend training sessions provided by the department on subjects including, but not limited to, proper test administration, test security, appropriate use of accommodations, scanning and scoring answer sheets, and preparation of test materials for scoring at a central site. LEA test coordinators shall then conduct in-person training for the school test coordinators in their LEAs for the purpose of providing instruction to local test administrators and proctors. LEA testing and accountability coordinators shall arrange for the scanning, scoring, and reporting of results from tests adopted by the State Board of Education.

Per General Statute §115C-316.1(a) Counselors shall spend at least eighty percent (80%) of their work time providing direct services to students. Direct services do not include the coordination of standardized testing. During the remainder of their work time, counselors shall spend adequate time on school counseling program support activities that consist of professional development; consultation, collaboration, and training; and program management and operations.

School counseling program support activities do not include the coordination of standardized testing. However, school counselors may assist other staff with the coordination of standardized testing.

**History Note:** Authority G.S. 115C-12(9); N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

16 NCAC 06D.0309 REQUIREMENTS REGARDING END-OF-COURSE ASSESSMENTS
All eligible students shall participate in the administration of end-of-course assessments (standard administrations with or without accommodations or an alternate assessment). This rule shall apply to all public schools, including traditional, charter, and regional schools. Public schools shall include each student's end-of-course (EOC) assessment results in the student's permanent records and high school transcript.

Public schools shall administer EOC assessments within the North Carolina Department of Public Instruction's designated testing window.

Public schools shall use results from all operational EOC assessments as a minimum of twenty percent (20%) of the student's final grade for each respective course with the exception of:
- students following the Occupational Course of Study Pathway;
- English Learner (EL) students in their first year in a U.S. school; and
Secure tests developed by the State of North Carolina may not be used for purposes other than those approved by the Division of Accountability Services and the State Board of Education.

**History Note:**
Authority G.S. 115C-12(9); N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06D.0310 **APPROPRIATE USE OF STATE TESTS**

Secure tests developed by the State of North Carolina may not be used for purposes other than those approved by the Division of Accountability Services and the State Board of Education.

**History Note:**
Authority G.S. 115C-12(9); N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06D.0311 **TESTING CODE OF ETHICS**

This Rule sets out the administrative testing procedures and testing code of ethics and shall apply to all public school employees, including charter school and regional school employees, who are involved in the state testing program.

The superintendent/charter school director or superintendent's/charter school director's designee shall develop local policies and procedures to ensure maximum test security in coordination with the policies and procedures developed by the test publisher.

The superintendent/charter school director or superintendent's/charter school director's designee shall instruct personnel who are responsible for the testing program in testing administration procedures. This instruction shall include test administrations that require testing accommodations and shall emphasize the need to follow the directions outlined by the test publisher.

The superintendent/charter school director or superintendent's/charter school director's designee shall designate the personnel who are authorized to have access to secure test materials. "Access" to test materials by school personnel means handling the materials but does not include reviewing tests or analyzing test items.

Persons who have access to secure test materials shall not use those materials for personal gain.

No person may copy, reproduce, or paraphrase in any manner or for any reason the test materials without the express written consent of the test publisher.

The principal shall ensure test security within the school building. The principal shall store test materials in a secure, locked facility.

The principal shall allow test materials to be distributed immediately before the test administration.

Any breach of security, loss of materials, failure to account for materials, or any other deviation from required security procedures shall be reported immediately to the principal, school test coordinator, school system (LEA) test coordinator, superintendent/charter school director, and regional accountability coordinator.

Preparation for testing:

The superintendent/charter school director shall ensure that school system (LEA) test coordinators:

- secure necessary materials;
- plan and implement training for school test coordinators, test administrators, and proctors;
- ensure each school test coordinator and test administrator is trained before each test administration on the policies and procedures for conducting a proper test administration and for processing and returning test materials; and
- in conjunction with program administrators, ensure the need for test accommodations is documented and that accommodations are limited to the specific need.

The principal or the principal's designee shall serve as school test coordinator.

The principal shall ensure the school test coordinator:

- maintains test security and accountability of test materials, including taking the following actions: (a) before each test administration, the school test coordinator shall accurately count and distribute test materials, and (b) immediately after each test administration, the school test coordinator shall collect, count, and return all test materials to the secure, locked storage facility.
establishes any needed school policies and procedures to assure all eligible students are tested fairly; identifies and trains personnel, proctors, and backup personnel for test administrations; and encourages a positive atmosphere for testing. Test administrators shall be school personnel who have professional training in education and the state-testing program. Teachers shall provide instruction that meets or exceeds the state-adopted curriculum standards to meet the needs of the specific students in the class. Teachers may help students improve test-taking skills by:

- helping students become familiar with test formats using curricular content;
- teaching students test-taking strategies and providing practice sessions;
- helping students learn ways of preparing to take tests; and
- using resource materials such as test questions from test item banks and linking documents in instruction and test preparation.

With respect to test administration, the superintendent/charter school director or superintendent’s/charter school director’s designee shall:

- assure each school establishes procedures to ensure all test administrators comply with test publisher guidelines;
- inform the local board of education of any breach of this code of ethics; and
- inform school system (LEA) test coordinators and principals of their responsibilities.

The school test coordinator shall:

- assure school personnel know the content of state and local testing policies;
- implement the school system and local testing policies and procedures to assure all eligible students are tested fairly;
- ensure trained proctors are assigned to test administrations by the principal; and
- ensure all testing irregularities are reported to the school system (LEA) test coordinator.

Test administrators shall:

- administer tests according to the directions in the assessment guide and any subsequent updates developed by the test publisher;
- administer tests to all eligible students;
- report all testing irregularities to the school test coordinator; and
- provide a positive test-taking environment.

Proctors shall serve as additional monitors to help the test administrator assure that testing occurs fairly.

Scoring. The school system test coordinator shall:

- ensure each test is scored according to the procedures and guidelines defined for the test by the test publisher;
- maintain quality control during the entire scoring process, which consists of handling and editing documents, scanning answer documents, and producing electronic files and reports. Quality control shall address at a minimum accuracy and scoring consistency.
- maintain security of tests and data files at all times, including:
  - protecting the confidentiality of students at all times when publicizing test results; and
  - maintaining test security of answer keys and item-specific scoring rubrics.

Analysis and reporting. Educators shall use test scores appropriately. This means that the educator recognizes that a test score is only one piece of information and must be interpreted together with other scores and indicators. Test data help educators understand educational patterns and practices. The superintendent shall ensure that school personnel analyze and report test data ethically and within the limitations described in this paragraph.

Educators shall maintain the confidentiality of individual students. Publicizing test scores or any written material containing personally identifiable information from the student’s educational records shall not be disseminated or otherwise made available to the public by a member of the State Board of Education, any employee of the State Board of Education, the State Superintendent of Public Instruction, any employee of the North Carolina Department of Public Instruction, any member of a local board of education, any employee of a local board of education, or any other person, except as permitted under the provisions of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C.$1232g.

Educators shall release test scores to students, parents, legal guardians, teachers, and the media with interpretive materials as needed. Staff development relating to testing must enable school personnel to respond knowledgeably to questions related to testing, including the tests, scores, scoring procedures, and other interpretive materials.

Items and associated materials on a secure test shall not be in the public domain. Only items that are within the public domain may be used for item analysis.

Data analysis of test scores for decision-making purposes shall be based upon: disaggregation of data based upon student demographics and other collected variables;

- examination of grading practices in relation to test scores; and
- examination of growth trends and goal summary reports for state-mandated tests.

Unethical testing practices include, but are not limited to, the following practices:

- encouraging students to be absent the day of testing;
- encouraging students not to do their best;
- using secure test items or modified secure test items for instruction;
- changing student responses at any time;
- interpreting, explaining, or paraphrasing the test directions or the test items;
- classifying students solely for the purpose of avoiding state testing;
- not testing all eligible students;
- failing to provide required accommodations during testing;
- modifying scoring programs including answer keys, equating files, and lookup tables;
- modifying student records solely for the purpose of raising test scores;
- using a single test score to make individual decisions; and
- misleading the public concerning the results and interpretations of test data.
In the event of a violation of this Rule, the State Board of Education may, in accordance with the contested case provisions of Chapter 150B of the General Statutes, impose any one or more of the following sanctions:

- Withhold any applicable monetary incentive awards;
- File a civil action against the person or persons responsible for the violation for copyright infringement or for any other available cause of action;
- Seek criminal prosecution of the person or persons responsible for the violation; and
- In accordance with the provisions of 16 NCAC 6C .0312, suspend or revoke the professional license of the person or persons responsible for the violation.

**History Note:** Authority G.S. 115C-12(9); N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

### 16 NCAC 06D .0312 ENGLISH LEARNERS: IDENTIFICATION, PARTICIPATION IN STATEWIDE TESTING PROGRAM, ELIGIBILITY FOR TESTING ACCOMMODATIONS, AND EXIT CRITERIA

To be identified as English Learners (ELs), students indicating a language other than English on the Home Language Survey (HLS) must be assessed using the state EL identification test at initial enrollment. Thereafter, all students identified as ELs must be annually assessed using the state EL proficiency test.

The W-APT™ is the state-identified EL proficiency identification assessment given to students in kindergarten and in first semester of grade 1. The WIDA™ Screener Online is the state-identified EL proficiency identification assessment given to students in second semester grade 1 through grade 12.

Initial assessment of both the W-APT™ and the WIDA™ Screener is required within thirty (30) calendar days of enrollment at the beginning of the school year or fourteen (14) days if the student enrolls after the beginning of the school year.

The ACCESS for ELLs® 2.0 is the state-designated EL proficiency assessment administered annually to kindergarten through twelfth-grade students who have been identified as ELs.

Students identified as ELs shall participate in the statewide testing program using either the standard test administration or the standard test administration with accommodations.

EL students in their first year in a United States school shall take required end-of-course (EOC) and North Carolina Final Exams (NCFEs), but the student's test scores shall not be included as at least 20% of the student's final grade for the course. This applies to English/Language Arts/Reading, Mathematics, Science, and Social Studies EOC and NCFE assessments.

#### English Learners may be eligible for testing accommodations:

- Students who score below Level 5.0 Bridging on the reading domain of the WIDA Screener/ACCESS for ELLs® 2.0, are eligible to receive state-approved EL testing accommodations on all state tests.
- Students who score Level 5.0 Bridging or above on the reading domain of the WIDA Screener/ACCESS for ELLs® 2.0 or exit EL status must participate in all state tests without accommodations.

#### English Learners may be removed from EL identification, subject to the following "Exit Criteria":

Results from the annual ACCESS for ELLs® 2.0 test are used in determining whether a student has exited EL identification.

Students must meet the Comprehensive Objective Composite (COC) set by the state to exit EL status. The COC defines the attainment of English language proficiency by a student reaching an overall composite score of 4.8 or above, with at least a 4.0 on the reading domain and at least a 4.0 on the writing domain for kindergarten and tiers B and C in grades 1–12 for the paper version.

The exit criteria for the adaptive online version of the ACCESS for ELLs® 2.0 has the same exit criteria as the paper/pencil version, but without tiers.

Students who exit EL identification are no longer assessed on the English language proficiency test; nor are those students eligible to receive EL accommodations on state tests.

Students who have exited EL status by obtaining the COC can be retested on the WIDA™ Screener Online for "Re-Identification" as an EL if observation and data collection indicates that a student was exited from the language assistance program prematurely.

**History Note:** Authority G.S. 115C-12(9); 115C-83.7; 115C-83.15; 115C-83.16; 115C-218.85; N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

### 16 NCAC 06D .0313 USE OF STATE-DESIGNATED ASSESSMENTS FOR THE NC TEACHER EVALUATION PROCESS

This rule specifies requirements for the assessments used as standardized artifacts to report student growth for teachers and school growth for participants in the North Carolina Teacher Evaluation Process.

The following assessments are considered standardized artifacts reflective of student growth for teachers and school growth for participants in the Teacher Evaluation Process:

- End-of-Grade English Language Arts/Reading (grades 3–8)
- End-of-Grade Mathematics (grades 3–8)
- End-of-Grade Science (grades 5 and 8)
- End-of-Course NC Math 1
End-of-Course English II
End-of-Course Biology
NC Final Exams
K-3 Checkpoints
Career and Technical Education State Assessments

All eligible public school students shall participate in the standard administration of the aforementioned assessments, with or without accommodations.

All students (including charter school students) enrolled in North Carolina Virtual Public School (NCVPS) courses that administer a North Carolina Final Exam (NCFE) shall participate in the administration of the NCFE.

Public schools shall administer these assessments within the North Carolina Department of Public Instruction's (NCDPI's) designated testing window:

- Last 5 days of the course for block or semester courses or
- Last 10 days of the course for yearlong courses.

Public schools shall have the course-specific operational assessment as the only final exam for the course.

Public schools shall use results from all course-specific operational assessments as a minimum of twenty percent (20%) of the student’s final grade for each respective course.

This requirement does not apply to end-of-year assessments in grades 3–8 nor does it apply to students following the OCS Pathway.

This requirement does not apply to English Learner (EL) students in their first year in a U.S. school.

Effective with the 2018–19 school year and beyond, this requirement does not apply to students enrolled in a course during the initial implementation year of the new assessment for that course where scores are not immediately available due to standard setting.

Since the NCVPS is a supplement to public schools, determination of an NCVPS final course grade is the district’s decision. The district determines according to local policy how much the final exam will count (i.e., minimum of 20% or higher) in the student’s final grade for the course.

Public schools may adopt policies to use results from end-of-year assessments in grades 3–8 elementary and middle school assessments as part of the student’s final grade.

Regardless of the grade level in which the course is offered, students enrolled in courses in which assessments are required shall take the appropriate assessment at the completion of the course.

This requirement does not apply to students for Science NCFEs at grades 4, 6, and 7 whose teachers have their test scores for the same year from the end-of-grade (EOG) tests of English Language Arts (ELA)/Reading and/or Mathematics and/or the Social Studies NCFEs. The decision must be applied consistently to all schools within a district so that teachers in like categories have the same measures.

This requirement does not apply to students for Social Studies NCFEs at grades 4, 5, 6, 7 and 8 whose teachers have their test scores for the same year from the EOG tests of ELA/Reading, Mathematics, and/or Science and/or Science NCFEs. The decision must be applied consistently to all schools within a district so that teachers in like categories have the same measures.

School Systems may elect to administer the Science and Social Studies Final Exams even if teachers have ELA/Reading, Mathematics, Science, or Social Studies scores.

Public school students (including seniors) who are exempt from final exams by local board of education policy shall not be exempt from these assessments.

Public school students who are identified as failing a course/grade/subject for which an assessment is required shall take the appropriate assessment.

History Note: Authority G.S. 115C-12(9); 115C-83.6; 115C-83.5; 115C-174.12; 115C-269.35; 115C-333.2; 115C-334; 115C-335; N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06E .0106 DEFINITION OF STUDENT CHRONIC ABSENTEEISM RATE
Student chronic absence is a risk factor for adverse outcomes. Student chronic absence differs from both truancy and average daily attendance. Student daily attendance is the percentage of students present in a school each day. Student truancy measures unexcused absences only. Student chronic absence refers to missing so much school, for any type of absence – excused, unexcused, disciplinary – that a student is at risk of falling behind.

To track rates of student chronic absenteeism accurately and consistently for North Carolina students, the following definition is established:
"Student Chronic Absentee" is a student who is enrolled in a North Carolina public school for at least 10 school days at any time during the school year, and whose total number of absences is equal to or greater than 10 percent of the total number of days that such student has been enrolled at such school during such school year.

This definition applies to all students enrolled in a school, including those who have not reached the compulsory attendance age, as well as those who have reached or exceeded the compulsory attendance age.

**History Note:**
Authority G.S. 115C-378; G.S. 115C-379; N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

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**16 NCAC 06E.010**

**SCHOOL VIOLENCE ACTS DEFINED AND THE ANNUAL REPORT OF THESE CRIMES**

Local Education Agencies (LEAs) shall report the following crimes and offenses within five school days to the State Board of Education via the Department of Public Instruction-approved discipline reporting system in conformity with the State's Uniform Education Reporting System:

- Homicide as defined in G.S. §14-17 and 14.18;
- Assault resulting in serious personal injury as defined in G.S. §14-32.4;
- Assault involving the use of a weapon as defined in G.S. §14-32 through 14-34.10;
- Rape as defined in G.S. §14-27.2, 14-27.3 and 14-27.7A;
- Sexual offense as defined in G.S. §14-27.4, 14-27.5 and 14-27.7A;
- Sexual assault as defined in G.S. §14-27.5A and 14-33(c)(2);
- Kidnapping as defined in G.S. §14-39;
- Robbery with a dangerous weapon as defined in G.S. §14-87;
- Indecent liberties with a minor as defined in G.S. §14-202.1, 14-202.2 and 14-202.4;
- Assault with a firearm or powerful explosive as defined in G.S. §14-34 through 14-34.10 and §14.49 through 14-50.1;
- Robbery with a firearm or dangerous explosive as defined in G.S. §14-87;
- Willfully burning a school building as defined in G.S. §14-60;
- Making bomb threats or engaging in bomb hoaxes as defined in G.S. §14-69.2;
- Assault on school officials, employees, and volunteers as defined in G.S. §14-33(c)(6);
- Possession of a controlled substance in violation of the law as defined in G.S. §90-86 through 90-113.8;
- Possession of a firearm in violation of the law as defined in G.S. §14-269.2;
- Possession of a weapon in violation of the law as defined in G.S. §14-269.2;
- Unlawful, underage sales, purchase, provision, possession, or consumption of alcoholic beverages as defined in G.S. §18B-302;
- Assault as defined in G.S. §14-33 but not resulting in an injury as severe as defined in G.S. §14-32.4;
- Fighting, or affray as defined in G.S. §14-33;
- Gang activity as defined in G.S. §14-50.16 14-50.20;
- Robbery as defined in G.S. §14-87, but without the use of a dangerous weapon;
- Extortion as defined in G.S. §14-118.4;
- Communicating threats as defined in G.S. §14-277.1;
- Threat of assault with a firearm or powerful explosive as defined in G.S. §14-277.1;
- Threat of assault with a weapon as defined in G.S. §14-277.1;
- Threat of assault without a weapon as defined in G.S. §14-277.1;
- Possession or use of tobacco products as defined in G.S. §14-313;
- Property damage as defined in G.S. §115C-398;
- Bullying as defined in G.S. §115C-407.15;
- Cyberbullying as defined in G.S. §14-458.1 and 14-458.2;
- Verbal harassment as defined in G.S. §115C-407.15;
- Sexual harassment as defined in G.S. §115C-335.5; Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq.; Harassment - Race/Ethnicity as defined in §115C-407.15;
- Harassment – Disability as defined in § 115C-407.15;
- Harassment – Sexual orientation as defined in §115C-407.15;
- Harassment – Religious affiliation as defined in §115C-407.15; and

Failure to follow reporting requirements under this provision may justify disciplinary action pursuant to 16 NCAC 6C.0312 (License Suspension and Revocation).

These offenses must be reported when they occur under the following conditions and circumstances: (1) on school property, defined as any public school building, bus, public school campus, grounds, recreational area, or athletic field in the charge of the principal or (2) off school property on a school-sponsored field trip.

**History Note:**
Authority G.S. 115C-12(21); G.S. 115C-288(g); G.S. 115C-307(a); N.C. Constitution, Article IX, Sec. 5;
16 NCAC 06E .0204 INTERSCHOLASTIC ATHLETICS

Local Education Agencies (LEAs) and charter school boards are authorized to determine whether and to what extent students in grades 6-12 may participate in interscholastic athletics; provided, however, that students in sixth grade are not eligible to participate in football.

In order to qualify for participation in public school athletics, a student must meet the following requirements:

- The student must meet the residence criteria of G.S. 115C-366(a). The student may participate only at the school to which the student is assigned by the LEA or, if over the age requirements, the school to which the student would be assigned at the next higher grade level.
- The student must meet age requirements at each grade level to participate. The principal must have evidence of the legal birth date of the student. A student who is ineligible to participate at one grade level due to age is eligible to participate at the next higher grade level only. However, no student may participate at the high school level for more than eight consecutive semesters, beginning with the student's first entry into grade nine or participation on a high school team, whichever occurs first. No student may be eligible to participate at the middle school level for a period lasting longer than six consecutive semesters, beginning with the student's entry into sixth grade.
- A student is eligible to participate in high school athletic contests during a school year if the student does not reach the 19th birthday on or before August 31 of that school year.
- A student shall not participate on a ninth grade junior high school team if the student becomes 16 years of age on or before August 31 of that school year.
- A student shall not participate on a sixth, seventh or eighth grade team if the student becomes 15 years of age on or before August 31 of that school year.

In grades 9-12, the student must pass at least five courses (or the equivalent for non-traditional school schedules) each semester to be eligible anytime during the present semester and meet promotion standards established by the LEA/Charter School. In grades 6, 7 and 8, the student must pass at least one less course than the number of required core courses each semester and meet promotion standards established by the LEA/Charter School. Regardless of the school organization pattern, a student who is promoted from the eighth grade to the ninth grade automatically meets the courses passed requirement for the first semester of the ninth grade. Regardless of the school organization pattern, a student who is promoted from the fifth grade to the sixth grade automatically meets the courses passed requirement for the first semester of the sixth grade.

- The student must receive a medical examination each year by a duly licensed physician, nurse practitioner, or physician assistant, subject to the provisions of G.S. 90-9, 90-18.1, and 90-18.2.
- The student may not participate after any of the following:
  - graduation;
  - becoming eligible to graduate;
  - signing a professional athletic contract;
  - receiving remuneration as a participant in an athletic contest; or
  - participating on an all-star team or in an all-star game that is not sanctioned by the association of which the student’s school is a member. The student is ineligible only for the specific sport involved.

Each principal of a school, which participates in interscholastic athletics must certify a list of eligible students for each sport.

Any student-athlete, coach or school official in grades 6-12 who is ejected from any athletic contest shall at least be penalized as follows:

- for the first offense, the person shall be reprimanded and suspended for the next game at that level of play (varsity or junior varsity) and for any intervening games at either level;
- for a second offense, the person shall be placed on probation and suspended for the next two games at that level of play (varsity or junior varsity) and for any intervening games at either level;
- for a third offense, the person shall be suspended for one calendar year;
- a coach who is suspended at any level of grades 6-12 (middle school, junior high or high school) may not coach in any other grade level in grades 6-12 during the period of suspension.

Penalties are cumulative from sport to sport and from sport season to sport season. If no member of the school's coaching staff is present to assume an ejected coach's duties, the contest shall be terminated by a forfeit.

LEAs/Charter Schools may allow their schools to belong to the North Carolina High School Athletic Association (NCHSAA), which has established as a minimum the rules adopted by the SBE. The NCHSAA may waive any eligibility requirement contained in this Rule, except the age requirement, if it finds that the rule fails to accomplish its purpose, or it works an undue hardship when applied to a particular student. The NCHSAA may enforce penalties for the violation of this Rule at the high school level. The LEA/Charter School which has jurisdiction over the high school may impose additional penalties. LEAs/Charter Schools or conferences may adopt and impose penalties at the middle and junior high school levels.

History Note: Authority G.S. 115C-12(12); 115C-12(23); N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

16 NCAC 06E .0205 CONCUSSION SAFETY REQUIREMENTS FOR INTERSCHOLASTIC ATHLETIC COMPETITION

For purposes of this rule, a concussion is defined as a traumatic brain injury caused by a direct or indirect impact to the head that results in disruption of normal brain function, which may or may not result in loss of consciousness.
All coaches, school nurses, athletic directors, first responders, volunteers, students who participate in middle or high school interscholastic athletic activities, and the parents or guardians of those students shall receive, on an annual basis, a concussion and head injury information sheet.

The information sheet must include:

- The definitions and symptoms of concussions and head injuries;
- A description of the physiology and the potential short-term and long-term effects of concussions and other head injuries;
- The medical return-to-play protocol for post concussion participation in interscholastic athletic activities; and
- Any other information deemed necessary by the local board of education.

School employees, first responders, volunteers, and students must sign the sheet and return it to the coach before participating in interscholastic athletic activities, including tryouts, practices, or competition.

Parents must sign the information sheet and return it to the coach before a child may participate in any such interscholastic athletic activities. The signed sheets shall be maintained in accordance with subsection (f).

If a student participating in a middle or high school interscholastic athletic activity exhibits signs or symptoms consistent with concussion, the student shall be removed from the activity at that time and shall not be allowed to return to play or practice that day.

A student removed from play for exhibiting signs or symptoms consistent with concussion shall not return to play or practice on a subsequent day until the student is evaluated by and receives written clearance for such participation from one of the following:

A physician licensed under Article 1 of Chapter 90 of the General Statutes with training in concussion management;

A neuropsychologist licensed under Article 18A of Chapter 90 of the General Statutes with training in concussion management and working in consultation with a physician licensed under Article 1 of Chapter 90 of the General Statutes;

An athletic trainer licensed under Article 34 of Chapter 90 of the General Statutes;

A physician assistant, consistent with the limitations of G.S. 90-18.1; or

A nurse practitioner, consistent with the limitations of G.S. 90-18.2.

Each school shall develop a venue-specific emergency action plan to deal with serious injuries and acute medical conditions in which the condition of the patient may deteriorate rapidly.

This plan must be:

- In writing;
- Reviewed by an athletic trainer licensed in North Carolina;
- Approved by the principal of the school;
- Distributed to all appropriate personnel;
- Posted conspicuously for community and parental awareness at all athletic-sponsored venues; and
- Reviewed and rehearsed annually by all licensed athletic trainers, first responders, coaches, school nurses, athletic directors, and volunteers for interscholastic athletic activities.

The plan shall include:

- A delineation of roles;
- Methods of communication;
- Available emergency equipment; and
- Access to and plan for emergency transport.

Each school shall maintain complete and accurate records of its compliance with the requirements of this subdivision pertaining to head injuries.

The State Board of Education authorizes the NCHSAA to apply and enforce this rule.

History Note: Authority G.S. 115C-12(12); 115C-12(23); N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06E .0206 ATHLETIC TRAINERS

ATHLETIC INJURY MANAGEMENT

a. Each Local Education Agency (LEA) must designate for each high school within its jurisdiction either a licensed athletic trainer who is qualified pursuant to Article 34 of Chapter 90 of the General Statutes of North Carolina or a first responder. These persons may be employed on a full-time or part-time basis or may serve as a volunteer.

b. If not a licensed athletic trainer, a first responder must

1. have completed and continue to maintain certification in cardiopulmonary resuscitation as certified by an organization such as the American Red Cross or the American Heart Association;

2. have completed and continue to maintain certification in first aid as certified by an organization such as the American Red Cross or the American Heart Association;

3. have completed and continue to maintain training in concussion management as offered by an organization such as the National Federation of State High School Associations (NFHS).
4. have completed and continue to maintain continuing education in injury prevention and management as offered by an organization such as the National Federation of State High School Associations (NFHS); and

5. complete 10 hours of staff development each school year specific to first aid, injury recognition and prevention. The 10 hours may include hours necessary for recertification/renewals.

c. The licensed athletic trainer or first responder may not have concurrent coaching responsibilities during the time in which the person is working as a licensed athletic trainer or first responder.

d. A licensed athletic trainer or first responder must attend all football practices and games, unless excused by the superintendent due to emergency.

e. Each school district will monitor school athletic trainer/first responder compliance with this policy.

f. LEAs shall work toward having a licensed athletic trainer or first responder available for all school practices and games of all sports at both the high school and middle school.

History Note: Authority G.S. 115C-12(12); N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06G .0314 ALTERNATIVE SCHOOLS' ACCOUNTABILITY MODELS

This rule establishes the North Carolina Department of Public Instruction's (NCDPI) procedures for alternative schools' participation in the State's Alternative Schools' Accountability Model and shall apply to all alternative schools, including charter schools approved to use the alternative accountability model, that have an NCDPI-assigned local education agency (LEA)/school code. Accountability indicators and results for students who attend programs or classes in a facility that does not have an LEA/school code shall be reported to and included in the students' base school's accountability results.

At the beginning of each school year, local public school and charter school boards shall determine the option that each alternative school under their jurisdiction will follow for participation in the Alternative Schools' Accountability Model. The local board's participation decision must be reported to the NCDPI's Director of Accountability Services by August 1 of each school year.

Local public school and charter school boards shall select from the following Alternative Schools' Accountability Model options:

Option A. Alternative schools can participate in School Performance Grades as defined by G.S. §115C-83.15 or 115C-83.16.

Option B. Alternative schools can participate in the Alternative Schools' Progress Model. Schools electing to participate in the Alternative Schools' Progress Model will be evaluated as follows, with Components used in the overall school score:

20% Student Persistence, which is defined as the percent of alternative students who remain enrolled in any North Carolina:

20% School Achievement, which is comprised of:
- three years of data using the following indicators: End-of-Grade (EOG) English Language Arts/Reading and Mathematics Assessments at Grades 3–8; EOG Science Assessments at Grades 5 and 8; End-of-Course (EOC) Assessments in Biology, NC Math 1, NC Math 3, and English II: ACT®; ACT WorkKeys; 4-year graduation rate; 5-year graduation rate; and math course rigor.

60% Growth, which will be calculated using the Education Value-Added Assessment System (EVAAS). A change rating will be assigned to schools comparing their previous year to the current year. All schools will receive a rating of: "Progressing," which indicates a change in the school from the previous year by at least +3 points; "Maintaining," which indicates a change in the school from the previous year by -2.9 to +2.9 points; or, "Declining," which indicates a change in the school from the previous year by at least -3 points.

Option C. The alternative school may propose its own alternative accountability model for approval by the State Board of Education (SBE). The proposed model must include criteria for achievement and growth. A request for Option C must be submitted annually to the SBE for approval at its October meeting.

Schools that are identified as Developmental Day Centers (as determined by the Department of Health and Human Services) and schools which are providing special education and related services in public separate settings to students with disabilities who are significantly cognitively delayed, have multiple handicapping conditions, and may also have significant behavioral or sensory integration needs shall participate in accountability by administering the appropriate assessment to all eligible students, and participating in either Option B or Option C as defined herein. To participate in this model, schools who meet the criteria in this section will be reviewed and approved by the Exceptional Children's Division and the Accountability Services Division.

History Note: Authority G.S. 115C-12(24); 115C-105.35; G.S. 115C-83.15; N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06G .0315 ACCOUNTABILITY ANNUAL PERFORMANCE STANDARDS

All eligible students in membership (i.e., enrolled in a school) at grades 3 through 8 and in high school courses in which an end-of-course (EOC) assessment is administered shall participate in the state assessment program adopted by the State Board of Education (SBE). Participation is reported for:

grades 3 through 8 end-of-grade (EOG) English language arts/reading and mathematics;
grades 5 and 8 EOG science;
grade 10 EOC English II;
grade 11 EOC assessments in NC Math, NC Math 3, and EOC Biology;
grade 11 ACT; and
grade 12 Career and Technical Education Concentrators and ACDT WorkKeys.

Effective 2017–18 and beyond, all eligible students in membership at grade 8 enrolled for credit in NC Math 1 shall take the EOC assessment at the completion of the course. Schools shall not assess these students on the grade 8 mathematics EOG assessment. These students will take the NC Math 3 EOC assessment for federal accountability in high school.

For the accountability model, a school that does not assess at least 95 percent of its expected test population for the all students group and each subgroup of students will be deemed not to have met participation rate requirements. For the ELA/reading and mathematics assessment (i.e., EOG ELA/reading, EOG Mathematics, EOC English, and EOCs NC Math 1/NC Math 3) academic indicator, the greater of all students tested, or 95 percent of students expected to test, shall be the denominator for proficiency calculations used in reporting, long-term goals, and the accountability model. Participation rates shall be publicly reported annually.

For the science (i.e., EOG Science and EOC Biology), ACT, and ACT WorkKeys assessments, participation rates shall be reported for all students and each subgroup of students. Missed participation rates will be highlighted in public reporting. Schools shall submit to the North Carolina Department of Public Instruction (NCDPI) justification for not meeting participation rates and a plan of action to improve participation rates.

Students identified as English Learners (ELs) shall participate in the statewide testing program using either the standard test administration or the standard test administration with accommodations.

Effective 2017–18 and beyond, ELs must participate in state assessments beginning with their first year in a U.S. school; however,

- For the first year, the requirement is for participation and for reporting (e.g., NC School Report Card), not the accountability model.
- For year two, ELs’ test scores will be included in the growth analysis for the accountability model.
- For year three and beyond, ELs’ test scores will be included in growth and the achievement indicator of the accountability model.

All students with disabilities who are included in membership, including those with Individualized Education Programs (IEPs) and those identified under Section 504 of the Rehabilitation Act of 1973, shall participate in the state assessment program using one of the following assessments as appropriate and as determined by the student's IEP or Section 504 Plan:

The standard test administration with or without accommodations, or
An alternate assessment (as defined below in letter F) with or without accommodations, if eligible.

Only students with the most significant cognitive disabilities who have IEPs may participate in a state-designated alternate assessment based on alternate academic achievement standards.

These students shall be evaluated and included in the accountability performance composite.

The Every Students Succeeds Act (ESSA) requires the total number of students assessed in each subject using the alternate assessment based on alternate academic achievement standards statewide does not exceed 1.0 percent of the total number of all students assessed in each subject.

As required by ESSA, the NCDPI must notify districts and charter schools that have been identified (based on the previous school year’s participation data) as being likely to exceed 1.0 percent of students assessed in a subject area on the alternate assessment for the current school year.

These identified districts and charter schools must provide the NCDPI a justification of the need to assess more than 1.0 percent of its students on the alternate assessment in any subject.

Districts and charter schools that did not exceed 1.0 percent in the previous school year but anticipate exceeding in the current school year, must also submit a justification.

Justifications from each district and charter school will be reviewed by the NCDPI, and follow up actions will be determined based on the information in the justification document.

The completed justification must be signed by the superintendent/charter school director, exceptional children’s director, and LEA/charter school test coordinator.

The justification documents for districts and charter schools that actually exceeded the 1.0 percent participation on the alternate assessment will be publicly posted.

History Note: Authority G.S.115C-105.35; Every Student Succeeds Act (ESSA); N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06G .0316 PURPOSE AND COMPOSITION OF THE STATE BOARD OF EDUCATION’S COMPLIANCE COMMISSION FOR ACCOUNTABILITY

The purpose of the Compliance Commission for Accountability (Commission) shall be to advise and to make recommendations to the State Board of Education (SBE) through the North Carolina Department of Public Instruction (NCDPI) on testing issues and other issues related to school accountability and improvement.

The SBE, after discussing issues related to testing and accountability as presented by the NCDPI, may request that the Commission further discuss such issues and make recommendations to the SBE.

Issues the Commission may discuss include the following:
- proposed changes to the State's accountability program;
- the testing code of ethics;
test security and administration;
auditing procedures to ensure integrity of the testing and accountability programs;
the relationship of testing to other aspects of schooling; and
other issues related to testing and accountability as deemed appropriate by the SBE.

The Commission shall consider requests from schools that desire to be exempt from participating in field test(s)/special studies and shall make a recommendation to the SBE on such requests.

Upon recommendation by the State Superintendent of Public Instruction, the SBE shall approve appointments to the Compliance Commission consisting of twenty-two members in accordance with the procedures stated in SBE Policy ADVS-002 (Appointments to Advisory Committees to the State Board of Education), who shall represent the following categories:

- Four shall be teachers;
- Five shall be principals representing elementary, middle, and high schools;
- Four shall be from central office staffs, (at least one must represent Exceptional Children);
- Two shall represent local boards of education;
- One shall represent NC charter schools;
- Two shall be members of the business community;
- One shall be a parent representative;
- One shall represent higher education; and
- Two shall be at-large.

Terms of membership shall be for four years, be staggered, and shall run through December 31. Members may be reappointed by the SBE for one additional term.

To the extent possible, members will be appointed from the eight education districts (as defined in G.S. §115C-65) to keep the Commission balanced geographically and professionally.

As Commission members are replaced, the SBE shall, to the extent possible, recommend and approve replacements to keep the Commission balanced geographically and professionally.

A member of the SBE as designated by the State Board membership shall sit on the Commission as a non-voting ex-officio member.

The SBE shall appoint a chair from the membership of the Commission. The Chair shall serve for two years.

The Commission shall meet at least annually. The SBE may call a special meeting of the Commission to discuss an issue.

The Department of Public Instruction, Division of Accountability Services, shall staff the Commission and shall develop the agenda for the scheduled meetings in conjunction with the Commission's Chair. Draft minutes of the Commission meetings shall be provided to the SBE within one month following each meeting, with official approved minutes being shared with the SBE following approval by the Commission.

History Note: Authority G.S.115C-105.35: Every Student Succeeds Act (ESSA); N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06G .0503 CHARTER SCHOOL ACCOUNTABILITY REQUIREMENTS

Each year all eligible students must take state-required assessments. All charter schools shall comply with North Carolina's Accountability Model, unless otherwise approved by the State Board of Education.

History Note: Authority G.S. 115C-83.15, 115C-83.16, 115C-105.20, 115C-218(a)(6), 115C-218.85(a)(3); N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06G .0504 CHARTER SCHOOLS STUDENT ADMISSION

All charter schools shall have open admission procedures and policies. Open enrollment for a charter school must follow the mission statement and targeted population in the State Board of Education approved application.

The admissions period shall be no less than 30 consecutive calendar days. If there are more applications than seats available, the charter school shall determine a date, time, and location to hold the legally required lottery. This lottery must be publicly noticed and open for public observation.

History Note: Authority G.S. 115C-218.45; N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06G .0505 CHARTER SCHOOLS FINANCIAL NONCOMPLIANCE – IMPACT OF FINANCIAL NONCOMPLIANCE

There are three stages of financial noncompliance under which a charter school may be placed: Cautionary, Probationary, and Disciplinary. A charter school may be placed in each stage of noncompliance based on any one of the following financial conditions:

- If the charter school fails to report required, Uniform Education Reporting System (UERS), data within 10 days of the required or agreed-upon reporting date or does not submit accurate data due to incorrectly utilizing UERS approved materials or software within the next reporting cycle;
If the charter school fails to respond to a specific financial, personnel, or student information request for information/data by the required reporting date;

If the charter school fails to timely submit the required audited financial statements to the North Carolina Department of State Treasurer's Local Government Commission, as prescribed by North Carolina General Statute 115C-218.30 Accountability; reporting requirements to State Board of Education.

If the charter school shows signs of financial insolvency or weakness, including a decline in student membership;

If the Office of State Treasurer receives a "non-sufficient funds (NSF)" notification during the course of cash certification processing;

If the charter school receives a material audit finding in their annual independent financial statement audit which indicates a violation of State law or State Board of Education Policy, a violation of any of the conditions or procedures set forth in their Charter, a failure to meet generally accepted accounting practices and principles, including sound fiscal management in accordance with G.S.115C-218.95 and remains unresolved; and/or

If the charter school's staff fails to attend required financial training.

NOTE: For these warning conditions, funds may be frozen (i.e. the school's access to the cash management system is revoked) until the exception is corrected. Any combination of the above violations may immediately move the charter school to Financial Disciplinary Status without first being held in either the Cautionary or Probationary status. Should a charter school have repeated violations of the same or similar non-compliance condition, the charter school may be moved to Financial Disciplinary Status.

This policy does not preclude the State Board of Education from taking any action with regards to a charter school if so warranted, regardless of the charter school's financial noncompliance status.

The stages of financial noncompliance are as follows:

Level 1: Financial Cautionary Status
A charter school may receive a notification of Financial Cautionary Status for any of the above conditions. The school shall remain in cautionary status for a minimum of 30 calendar days from the date of notification, and during that time must correct the exception(s) that caused the financial warning(s) if applicable. When the exception(s) is corrected as prescribed in the notification of noncompliance by NCDPI, the school will be notified of removal from cautionary status.

Level 2: Financial Probationary Status
A charter school may receive a notification of Financial Probationary Status for any of the above conditions. The school will be placed in Financial Probationary Status, if the school fails to correct the exception(s) during the 30 calendar days cautionary period, unless otherwise stated in the initial notification of noncompliance. The school remains in probationary status for a minimum of 30 calendar days from the date of notification, and during that time must correct the exceptions that caused the financial warnings if applicable. When all of the exceptions have been corrected, the school will be notified of removal from probationary status. While in probationary status, state funds for the school may be allotted on a monthly basis until the exceptions that caused the financial warnings are corrected. Failure to resolve the exceptions may result in the school being placed on Financial Disciplinary Status, referred to the Charter School Advisory Board and/or to the State Board of Education for further action.

Level 3: Financial Disciplinary Status
The school will be placed in Financial Disciplinary Status, if the school fails to correct all of the exceptions during the established timeframe. Any of the financial conditions noted in this policy, or combination thereof, may immediately result in the charter school being placed on Financial Noncompliance Disciplinary status without the benefit of being first held in either the Cautionary or Probationary status. Also, should a charter school have repeat violations of the same or similar non-compliance condition, the charter school may be moved to Financial Disciplinary Status without the benefit of completing either the Cautionary or Probationary status periods.

When in Disciplinary status, the school is expected to immediately address all of the exceptions that caused the financial noncompliance within ten (10) business days from the date of notification or otherwise stated. State funds for the school may be allotted on a monthly basis until the exceptions causing the noncompliance are corrected. When all of the exceptions have been corrected, the school will be notified of removal from disciplinary status. Failure to resolve the exceptions will result in the school being referred to the Charter School Advisory Board and/or to the State Board of Education for further action.


16 NCAC 06G .0506 CHARTER SCHOOLS GOVERNANCE NONCOMPLIANCE
There are three (3) stages of Governance Noncompliance: Governance Cautionary Status, Governance Probationary Status, and Governance Disciplinary Status.

A charter school may be placed within a governance non-compliance status based on any one of the following governance warning conditions:

- Failure to have a functioning board in place, including failure to conduct regular meetings of the board and failure to adopt policies regarding the operation of the charter school. Such policies would include a minimum of Personnel, Disciplinary, and Parental Grievance policies.
- Inability to show progress towards the educational and organizational goals described in the charter school application.
Failure to maintain student enrollment. (i.e., Required minimum of 80 students, or as otherwise stated in the charter application or approved waiver to operate under the minimum of 80 students.)

Bylaws violations including, but not limited to, failure to follow the Open Meetings Law, failure to maintain Public Records, failure to implement a Conflict of Interest Policy, failure to adhere to basic rules of Parliamentary Procedure.

Charter Agreement violations including, but not limited to, following State/Federal Regulations, ensuring Health & Safety Standards, making adequate academic progress, meeting Testing and Reporting requirements, and supplying all reports and documentation as requested by the Office of Charter Schools to ensure legal compliance with General Statute, State Board of Education Policy, and the Charter Agreement.

Substantiated complaints indicating that the Board is not acting as a representative of the school community to ensure that the needs of all students, parents, and teachers will be addressed.

Failure to maintain certification of at least fifty percent (50%) of teachers in all grades pursuant to G.S.115C-218.90. Charter schools shall maintain compliance with this law from December 31 of each year through the end of the school calendar year. Failure to do so will be seen as noncompliance with the statutory requirement.

The stages of noncompliance are as follows:

Level 1: Governance Cautionary Status: Upon receiving a Governance Warning for any of the above conditions, the charter school will be placed on Governance Cautionary Status. The school remains in cautionary status for 30 calendar days and during that time must correct the exception that caused the warning. When the 30 calendar days have ended and the exception is corrected, the governance warning will be removed and the school will be removed from cautionary status. Failure to correct the exception during the 30 calendar days cautionary period constitutes a second warning and the school will be placed on Governance Probationary Status.

Level 2: Governance Probationary Status: The school remains on Governance Probationary Status for 30 calendar days and during that time must correct the exceptions that caused all of the governance warnings. When the 30 calendar days have ended and the exception is corrected, the governance warning will be removed and the school will be removed from probationary status. Failure to correct the exception during the 30 calendar days probationary period constitutes a third warning and the school will be placed on Governance Noncompliance Status.

Level 3: Governance Noncompliance Status: The school remains on Governance Noncompliance Status for 10 calendar days. When in Noncompliance Status, the school is expected to immediately address all of the exceptions that caused the governance warnings. State funds for the school may be allotted on a monthly basis until the exceptions that caused all of the governance warnings are corrected. A School placed in Governance Noncompliance Status may be referred to the Charter Schools Advisory Board for appropriate inquiry and action as determined by the State Board of Education.


16 NCAC 06G.0507 CHARTER SCHOOLS RENEWAL PROCESS

It is stated in G.S. 115C-218.3 that the initial charter with the NC State Board of Education may be granted for up to ten years. It is also stated that the charter may be extended or renewed for up to ten years. Therefore, a process for exercising the renewal option is needed. The North Carolina Charter Schools Renewal Report (NCCSRR) is intended to be such a document. The NC Charter Schools Renewal Report (NCCSRR) is intended to permit the North Carolina State Board of Education (NCSBE) the time to review the information needed to evaluate the progress of the submitting charter school. The renewal process should also be one that will guide charter schools through a self-assessment that becomes an update to the original application and a "roadmap" to future improvement. Furthermore, as a public document, the NCCSRR shall be made available to federal, state, and local educators, policy makers, parents, and the community. It should be constructed with this in mind.

Process for Renewal

A completed charter schools renewal report will consist of:

THE CHARTER SCHOOLS SELF-STUDY (completed by the school).

This section contains questions related to the viability of the charter school’s academic program, governance structure, and business operations. It will be suggested that this portion be undertaken by a team of people having the ability to look objectively at the entire school and identify ways to further strengthen and align the existing program to its mission and the desires of the community that it serves.

THE RENEWAL SELF-STUDY PROCESS

Each charter school seeking renewal shall complete the Renewal Self-study first. Summaries should be written in a concise manner and free of jargon. Charter schools’ administrators will be encouraged to seek outside assistance.

The self-study shall contain the following in this order:

COVER PAGE

Each report will begin with a one-page fact sheet that contains the name and contact information for the school, the name of the principal including phone/fax/E-mail, contact information for the board chairperson, and the date of submission of the report.

LETTER OF INTENT

Following the cover page is a formal letter signed by the Board Chairperson stating the Board's intent to seek renewal.

TABLE OF CONTENTS.
16 NCAC 06G .0508 CHARTER SCHOOLS APPLICATION AND REVIEW PROCESS

Deadline for Filing Charter School Applications.
Prior to each application round, the State Board of Education shall approve the application process, timeline, and non-refundable fee.
Applications for charters, and the nonrefundable - fee, must be received by the Office of Charter Schools no later than the date and time specified for the charter application round that year.
Applications and fees received after the deadline specified by the Office of Charter Schools will not be considered, and any affected applicant groups will be notified in writing.
Rejection of Incomplete Applications. The Charter School Advisory Board and Office of Charter Schools shall review all timely applications and shall reject all incomplete applications.
Charter School Advisory Board Responsibilities
The Charter School Advisory Board, with the assistance of the Office of Charter Schools, will review applications and formulate recommendations to the State Board of Education.

SBE Review of Applications and Award of Charters
The SBE may request information from applicants, their officers, agents or other persons having information regarding the charter application reviewed by the Charter School Advisory Board.
When awarding charters, the SBE may give priority consideration to applications that demonstrate the capability to provide comprehensive learning experiences to students identified as at risk of academic failure.
When determining whether to award a charter, the SBE may consider any factor that it determines will promote the purposes of the Charter School Act, G.S. 115C et seq., including but not limited to the extent to which the application:

- Meets all the requirements of the Charter School Act, G.S. 115C-218 et seq.;
- Would achieve one or more of the purposes set forth in G.S. 115C-218(a);
- Contains viable governance, business, and education plans; and
- Satisfies any other requirements adopted by the SBE.
Of the applications which meet the requirements in (c)(2), the Charter School Advisory Board shall forward to the SBE those applications which warrant SBE review by its April meeting each year.
The Charter Schools Advisory Board will present its recommendations to the SBE at the May SBE meeting for discussion.

SUPPORTING DOCUMENTATION.

EXECUTIVE SUMMARY.
An executive summary of the self-study is next. This begins with the school’s mission statement and consists of no more than two typed pages.

SUPPORTING DOCUMENTATION.
The body of the self-study contains various evidence of the success of the students and the progress towards the charter school’s goals as outlined in the charter application.

History Note: Authority G.S. 115C-218(a)(6), 115C-218.6; N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06G .0509 PLANNING YEAR FOR NEW PRELIMINARY CHARTER SCHOOLS

All pages of the NCCSRR will be numbered consecutively. The Table of Contents will allow easy access to the various sections. No font smaller than 12 point should be used and all reports should be typed or computer prepared (the report may be downloaded in word format from the DPI website).

History Note: Authority G.S. 115C-218, 115C-218.1; N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.
All new nonprofit boards receiving a charter must participate in a year-long planning program prior to the charter school's opening for students. The planning year provides an applicant time to prepare for the implementation of the school's curricular, financial, marketing, and facility plans. During this planning year, regular meetings are held with the Board of Directors and consultants from the Office of Charter Schools to provide information on the following topics: school opening plans, staff development, finance, governance, board training, marketing, policies and procedures, securing a school site, and hiring a school administrator.

Final approval of the charter will be contingent upon successfully completing all of the planning program requirements.

**Acceleration**

The State Board of Education, in its discretion, may accelerate the mandatory planning year to increase the number of high quality charter schools. In considering whether to accelerate the planning year, the applicant must meet the following requirements:

- Demonstrate a clear and compelling need for the accelerated planning year;
- Demonstrate an exceptional need for the charter school in the proposed location;
- Agree to participate in the planning year while the charter application is being reviewed without any guarantee of charter award; and
- Demonstrate that there is a facility identified by the applicant that is feasible for opening on an accelerated schedule.

Once evidence for the requirements has been verified, the State Board will also consider the presence or absence of the following factors in making its determination:

- Unique mission and educational program,
- Local, state, and national nonprofit partnerships committed to assisting the school,
- Potential for economic and educational development of the region,
- Mentoring by a successful organization that has experience in creating public schools,
- Obstacles to educational reform efforts that leave chartering as an available option,
- Commitment to work with a successful charter school board as a guiding mentor,
- The length of time the nonprofit corporation has existed,
- Whether the proposed board has previously or currently operates a successful public charter school.

The above list is not exclusive or controlling and is intended to guide the exercise of the State Board's discretion. An applicant requesting acceleration must submit the request to the State Board of Education prior to the application due date for consideration.

**History Note:** Authority G.S. 115C-218, 115C-218.1, 115C-218.5(b); N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.

**16 NCAC 06G .0510 CHARTER AMENDMENTS FOR EXISTING PUBLIC CHARTER SCHOOLS - APPROVAL PROCESS**

The following constitute material charter amendments that must receive approval from the State Board of Education ("SBE") prior to implementation:

- Grade expansion beyond that approved as a nonmaterial revision in G.S. 115C-218.8(3);
- Relocation outside a 5-mile radius or approved Local Education Agency (LEA);
- Transferring the charter to another non-profit entity;
- Altering the mission or targeted student population;
- Employing or terminating a management company; and
- Change to the charter application with respect to the National School Lunch program.

The following constitute charter amendments that must be approved by the Department of Public Instruction staff prior to implementation, but do not require further approval from the SBE:

- Bylaws;
- The name of the charter school;
- The Articles of Incorporation;
- Relocation within a 5-mile radius or an approved Local Education Agency (LEA);
- Class sizes as stated in the application;
- Length of school day and/or academic year;
- Curriculum changes;
- Change to the charter application with respect to student transportation;
- Change to the charter application with respect to changing its food service plan; and
- One year delay requests and/or using year 2 enrollment as outlined in the approved charter.

Notwithstanding the foregoing, the Department of Public Instruction may carry any proposed amendment to the SBE for its review.

**History Note:** Authority G.S. 115C-218.7, 115C-218.8; N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.

**16 NCAC 06G .0511 CHARTER AMENDMENTS FOR EXISTING PUBLIC CHARTER SCHOOLS – REQUIRED DOCUMENTATION**

Documentation Needed to Process Amendment Requests

Documentation needed to process amendment requests includes, but are not limited to, the following:

- Board meeting minutes reflecting the vote of the Board of Directors for the charter school;
- Cover letter fully explaining/justifying the request signed by the board chair and lead administrator of the charter school;
16 NCAC 06G .0512  FAST TRACK REPLICATION OF HIGH QUALITY CHARTER SCHOOLS – PURPOSE AND DEFINITIONS

**Purpose**

A charter school model that has been successfully implemented in North Carolina or elsewhere should serve as a platform on which additional schools could and should operate. Accordingly, the State Board of Education (SBE) may, in certain well-defined instances, grant permission for a non-profit corporation board of directors (board) to replicate either its own successful model, or to employ an educational management company (EMO) or a charter management organization (CMO) to replicate a successful model currently being operated under the management of the EMO or CMO. The SBE may also, in certain well-defined instances, grant permission for a non-profit corporation board to “fast track” such a replication by foregoing the planning year normally required for newly-approved charter applicants. These Rules outline the criteria and process by which the SBE may authorize fast track replication.

Nothing in these Rules shall be construed to prohibit a North Carolina non-profit corporation board that seeks to replicate another charter school from doing so through the regular application process and, upon approval, receiving the planning year trainings from NCDPI.

**Definitions**

"Charter school model" or "model" mean the core mission and function of a charter school, including its governance, its curriculum, its organizational structure, its targeted population, and other key characteristics of the school, such as small class size, thematic academics, extended day, etc.

"Replication" means the act of copying, recreating, or repeating, in this case a successful charter school model. A "replication" would require the utilization of one charter school “model” to form the creation of a new charter school.

"Fast-Track Replication" is a special form of replication in which the approved applicant foregoes the planning year normally required of new charter school applicants. The "fast-track" applicant will still be required to participate in a one-day basic training workshop that will be provided by the Department of Public Instruction. The State Board of Education shall make final decisions regarding "fast track" replication applications in less than 120 days from the application submission.

History Note: Authority G.S. 115C-218.7; N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06G .0513  FAST TRACK REPLICATION OF HIGH QUALITY CHARTER SCHOOLS – ELIGIBILITY

A non-profit corporation board that currently operates a charter school in North Carolina is eligible to apply to fast-track replicate its currently existing model only if the non-profit corporation board’s current school or schools demonstrate a consistent track record of academic, financial, and operational success. If the board operates more than one school, each school must meet this standard. To meet this standard, the non-profit corporation board must meet each of the following conditions:

Each school operated by the non-profit corporation must:

1. have academic outcomes at least comparable to those of the students enrolled in the LEAs in which they are located; or
2. meet or exceed growth for the three years immediately preceding the application at issue.

Each school operated by the non-profit corporation must have unqualified audits for the three years immediately preceding the application.

Each school operated by the non-profit corporation must have resolved any noncompliance issues cited by the Department of Public Instruction during the three years immediately preceding the application.

A majority of the non-profit corporation board members and 50% or greater of the board officers must be North Carolina residents.

These standards must be met throughout the application period.

A non-profit corporation board that does not currently operate a charter school in North Carolina is eligible to apply to replicate through fast-track replication an existing model operated by an EMO/CMO. The non-profit corporation board is eligible to apply only if the schools operated by the EMO/CMO have a consistent track record of academic, financial, and operational success. The non-profit corporation board is eligible to replicate an existing model operated by the EMO/CMO only if the non-profit corporation board meets each of the following conditions:

The non-profit corporation board must demonstrate that each school managed by the EMO/CMO:

1. has an academic proficiency comparable to the LEAs in which the current schools are located; or
2. meets or exceeds growth for the three years immediately preceding the application at issue.

The non-profit corporation board must demonstrate that the schools operated in other states by the EMO/CMO meet similarly rigorous standards for academic performance.

History Note: Authority G.S. 115C-218.3; N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.
The non-profit corporation board must demonstrate that each school managed by the EMO/CMO have unqualified audits without fiscal compliance issues for three years immediately preceding the application.

The non-profit corporation board must demonstrate that the schools operated in other states by the EMO/CMO meet similarly rigorous standards for financial performance.

A majority of the non-profit corporation board members and 50% or greater of the board officers must be North Carolina residents.

These standards must be met throughout the application period.

**History Note:** Authority G.S. 115C-218.3; N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

**16 NCAC 06G .0514** FAST TRACK REPLICATION OF HIGH QUALITY CHARTER SCHOOLS – GENERAL REQUIREMENTS

In addition to the specific requirements set forth in these Rules, the State Board of Education (“SBE”) may impose reasonable requirements both in the review and application stages as well as in the approval process. The SBE's obligation and responsibility to ensure quality charter schools supersedes an applicant's opportunity to apply for fast-track replication.

In addition to considering growth and proficiency and financial audits, the SBE may consider any other relevant factors in determining whether to grant a fast-track replication request, including but not limited to the following:

- The needs of the particular geographical area proposed to be served by the replicated model;
- The ability of the non-profit corporation board to manage additional schools;
- The abilities and strengths of the non-profit corporation board that seeks to employ the EMO/CMO; and
- The community support for the replicated model.

**History Note:** Authority G.S. 115C-218.3; N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

**16 NCAC 06G .0515** FAST TRACK REPLICATION OF HIGH QUALITY CHARTER SCHOOLS – ACCOUNTABILITY

For purposes of accountability, each school within a network of schools operated by a single non-profit corporation board or a single EMO/CMO is a separate and distinct charter school and will be assessed based upon its own separate academic, financial, and operational performance.

The strengths or weaknesses of other schools are not factors in determining whether the State Board of Education (“SBE”) should take action against an individual school; however, the strengths and weaknesses of all schools in a network may influence the SBE's decision regarding whether or not to allow fast track replication of a school in that network.

The SBE, the Department of Public Instruction, and the Office of Charter Schools will observe and evaluate schools that are replications to the same extent and in the same manner as the State monitors all charter schools.

The non-profit corporation board shall ensure that, with respect to each of the schools in the EMO/CMO's network, the public will have open access to board members and meetings of the board.

**History Note:** Authority G.S. 115C-218.3; N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

**16 NCAC 06G .0516** VIRTUAL CHARTER SCHOOLS ATTENDANCE AND MEMBERSHIP - APPLICABILITY

This Rule applies only to the pilot virtual charter schools approved by the State Board of Education on February 5, 2015.

**Attendance**

A virtual charter school is not required to record and report daily attendance to the Department of Public Instruction. A virtual charter school is required to keep records of student activity (as defined by the school, consistent with its approved charter) by course and shall report that information to the Department of Public Instruction within fifteen days at the end of each school month.

**Membership**

A virtual charter school shall define a full instructional course load for each grade level it offers. A student is required to be enrolled for at least half of the instructional course load to be considered in membership at the virtual charter school.

A student’s membership shall not begin until the student has actively participated in each of his or her courses.

A student who has no activity (as defined in section B.1. above) for ten consecutive calendar days, excluding holidays, shall be removed from membership by the school. If and when it is determined the student is not returning to the school and is to be withdrawn, the withdrawal shall be posted on the first day after the student's last day of activity.

Statewide student information system

Nothing in this Rule waives the requirement that virtual schools use the Statewide student information system to record and report school and student data.

**History Note:** Authority G.S. 115C-12(18), 115C-218, 115C-218.30; N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);
16 NCAC 06G .0517 ALTERNATIVE CHARTER SCHOOL – PURPOSE AND APPLICABILITY

Unless otherwise prohibited by federal or state law, a charter school that meets specific criteria may be eligible to be designated an "Alternative School" for purposes of participation in the "North Carolina Alternative Schools' Alternative Accountability Model." The purpose of the following rules is to establish the criteria for eligibility and the procedures for applying for this designation.

History Note: Authority G.S. 115C-12(24), 115C-218(a)(2); N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06G .0518 ALTERNATIVE CHARTER SCHOOL – ELIGIBILITY

Definitions

"Student at risk" means a young person who because of a wide range of individual, personal, financial, familial, social, behavioral or academic circumstances may experience school failure or other unwanted outcomes unless interventions occur to reduce the risk factors. Circumstances which often place students at risk may include, but are not limited to: not meeting state/local proficiency standards, grade retention; unidentified or inadequately addressed learning needs, alienation from school life; unchallenging curricula and/or instruction, tardiness and/or poor school attendance; negative peer influence; unmanageable behavior; substance abuse and other health risk behaviors, abuse and neglect; inadequate parental/family and/or school support; and limited English proficiency.

"Dropout" means any student who leaves school for any reason before graduation or completion of a program of studies without transferring to another elementary or secondary school.

Eligibility

In order to qualify for designation as an "alternative school" for purposes of accountability under these Rules, the charter school must demonstrate that it serves a student population as follows:

- The school must include grades 9-12;
- At least 75% of the school's population in grades 9-12 must be "Students at-risk" of academic failure as defined above and must also meet one or more of the following indicators:
  - The students must either be recently released from a juvenile justice facility, or otherwise be subject to and participating in the juvenile justice court process;
  - The students must be currently served by a treatment facility licensed pursuant to Chapter 122C of the General Statutes, or have recently been discharged from such a facility;
  - The students must be currently under long-term suspension from a public or private school; or
  - The students must be high-school dropouts as defined above; or be imminently at risk of dropping out as demonstrated by adequate documentation in the charter school's application for designation under this policy.

History Note: Authority G.S. 115C-12(24), 115C-218(a)(2); N.C. Constitution, Article IX, Sec. 5; Interim Adoption Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06G .0519 ALTERNATIVE CHARTER SCHOOL - APPLICATION

A charter school meeting the eligibility criteria set forth in these Rules and seeking designation as an "alternative school" must submit an application to the Office of Charter Schools describing in detail the following:

- The school's mission as it relates to the request for designation as an "alternative school";
- A designation of which alternative accountability option it is requesting under these Rules, which option cannot be changed except at the time of renewal;
- The criteria the school plans to use that will meet the eligibility requirements set forth in these Rules, including the documentation the school will use to support its admissions process;
- An admission plan that is well-defined and specifically limited to serving at-risk students as described in the application;
- An explanation of how the school intends to serve the select population, educationally and otherwise; and
- The goals the school is setting for academic achievement for this population.

A plan that is not well-defined will not be approved.

History Note: Authority G.S. 115C-12(24), 115C-218(a)(2); N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06G .0520 ALTERNATIVE CHARTER SCHOOL – APPLICATION APPROVAL

The Charter School Advisory Board ("CSAB") will, if appropriate, establish a timeline for the submission of applications for alternative charter schools and for the review and approval of such applications. The CSAB shall develop an application template to be used for applicants for alternative charter school designation.

Upon submission of an application, the Office of Charter Schools ("OCS") will first review the application for completeness and will then submit all complete applications to the CSAB for its review.

If the CSAB determines the application meets the criteria set forth in these Rules and is otherwise approvable, it may recommend the application to the State Board of Education for final approval.

History Note: Authority G.S. 115C-12(24), 115C-218(a)(2); N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 2019.
16 NCAC 06G .0522 ALTERNATIVE CHARTER SCHOOL – TERMINATION OF DESIGNATION

If at any time it appears the school is not meeting the criteria for designation under these Rules, or is otherwise not in compliance with law, regulation, or policy, the Charter School Advisory Board ("CSAB") may:
- direct the Office of Charter Schools or the Department of Public Instruction to investigate the school; and/or
- if appropriate, may direct the school to appear before the CSAB and respond to questions.

In the event the CSAB finds cause to revoke the school's designation as an alternative school, the CSAB may make such a recommendation to the State Board of Education ("SBE") and the SBE may take action as appropriate.

In the event that federal or State law affects the designation of an "alternative school" under these Rules, making such designation impossible, or illegal, the school's designation will cease without the need for any further action by the CSAB or the SBE.

History Note: Authority G.S. 115C-12(24), 115C-218(a)(2); N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

16 NCAC 06G .0523 MANAGEMENT ORGANIZATIONS AND SUPPORT ORGANIZATIONS

Definitions
"Management Organization" means an entity that meets either of the following definitions, as determined by the Office of Charter Schools:
- "Charter Management Organization" (CMO) means a non-profit organization that operates or manages one or multiple charter schools (e.g., through a contract with the charter schools) by centralizing support and operations.
- "Education Management Organization" (EMO) means a for-profit organization that contracts with new or existing public-school districts, charter school districts, and charter schools to operate and manage one or multiple charter schools by centralizing support and operations.
- "Charter Support Organization" (CSO) means a for-profit or nonprofit, nongovernmental entity that provides:
  - assistance to developers during the application, planning, program design, and initial implementation of a charter school; or
  - technical assistance to operating charter schools, including specific and limited services such as but not limited to professional development, nonprofit board development, payroll, and curriculum development.

Required Approvals and Disclosures
All applicants for a charter school must receive SBE approval before partnering with a Management Organization. This approval may be sought as part of the application or renewal processes.

All existing charter schools must receive SBE approval before partnering with, or terminating an existing relationship with, a Management Organization.

All applicants for a charter school must disclose existing or contingent partnerships with Charter Support Organizations as part of the applicant's charter application.

History Note: Authority G.S. 115C-218, 115C-218.1, 115C-218.5; N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

16 NCAC 06G .0524 CHARTER SCHOOLS PROCESS FOR ASSUMPTION OF INADEQUATELY PERFORMING CHARTER SCHOOLS

Pursuant to G.S. 115C-218.95, the State Board of Education (SBE) has the authority to terminate, not renew, or seek applicants to assume the charter of any charter school with inadequate performance. Upon determination by the SBE that grounds exist to terminate or not renew the charter of an inadequate school (hereinafter referred to as the "Existing School"), the SBE, in lieu of termination or non-renewal, if appropriate, and on a case-by-case basis, may consider whether assumption is an option.

In determining whether assumption is a viable option, the SBE shall, in addition to complying with the provisions of Section 6 of Session Law 2014-101, consider all factors it deems relevant, including but not limited to:

a. Factors Relevant to "Existing” Schools

1. Academic performance,
2. Financial status of the existing school, including outstanding debts;
3. Compliance with all applicable laws and policies;
4. Status of the school facility;
5. Feedback from the school community, including the parents, staff and students; and
6. Any other relevant factor.
b. Factors Relevant to “Assuming” Schools

1. Overall financial viability of the assuming school;
2. Academic performance;
3. Geographic location;
4. Existence of any financial/governance compliance issues;
5. Ability of the assuming school to retain existing students; and
6. Any other relevant factor.

c. No single factor is given any particular weight or is solely determinative.

No single factor is given any particular weight or is solely determinative.

History Note: Authority G.S. 115C-218.95; N.C. Constitution, Article IX, Sec. 5;

16 NCAC 06G. 0521 ALTERNATIVE CHARTER SCHOOL – REVIEW AND RENEWAL OF DESIGNATION

The Charter School Advisory Board ("CSAB") will review each alternative charter school every three years to determine if the school should continue with the designation. In reviewing the school, the CSAB will utilize the criteria set forth in these Rules for initial approval but will also evaluate the academic progress of the school and the achievement of projected outcomes as set forth by the school initially.

If the review shows that the school meets this criteria and is otherwise approvable, the CSAB may recommend the school to the State Board of Education for final approval for another three-year designation.

History Note: Authority G.S. 115C-12(24), 115C-218(a)(2); N.C. Constitution, Article IX, Sec. 5;

16 NCAC 06H. 0113 NUTRITION STANDARDS FOR ELEMENTARY SCHOOLS

Minimum Standards for School Meals are as follows:

Meals served must be consistent with the current edition of the Dietary Guidelines for Americans, Federal Regulations as approved for North Carolina and State Board of Education Policy on Nutrition Standards for School Meals.

When averaged over the week, reimbursable meals will contain twenty to thirty-five percent (20-35%) of calories from fat, and less than ten percent (10%) total calories from saturated fat. Trans fat and sodium levels will be monitored regularly and kept as low as possible.

In addition to the above, the following standards shall apply:

Reimbursable meals will contain no more than 200 mg cholesterol when averaged over breakfasts and lunches for the week.

Food preparation methods for all foods will be limited to baking, roasting, broiling, boiling, and steaming.

A minimum of one daily serving of whole grain products will be offered; whole grain foods will be increased gradually to a minimum of eight servings per week as market availability of whole grain products increases to supply menu needs.

Efforts to meet the daily target of whole grain foods will be contingent upon market availability.

Four fruits and/or vegetables will be offered daily. Fruits and vegetables may be canned, frozen, fresh, or dried with preparation methods limited to baking, roasting, broiling, boiling, and steaming. Dark green, deep yellow or orange fruits or vegetables will be offered three or more times per week. Fresh fruits or vegetables will be offered at least four times weekly at breakfast and/or lunch.

Legumes will be offered at least one time per week.

All milk choices will be one percent (1%) or less milk fat.

Minimum Nutrition Standards for A la Carte Foods and Beverages

If local policy allows A la Carte food and beverage choices, the following options may be offered:

In addition to items offered as a part of the reimbursable meal, A la Carte items must contain less than thirty-five percent (35%) total calories from fat, and less than one percent (1%) total calories from trans-fat, and less than thirty-five percent (35%) added sugar by weight.

Any item in the same serving size as offered that day as part of the reimbursable meal, with a limit of one additional entrée portion.

Single serving dairy products containing less than 200 calories, less than thirty-five percent (35%) total calories from fat, less than ten percent (10%) total calories from saturated fat, and less than thirty-five percent (35%) added sugar by weight.

Nuts and seeds (less than 1 oz portion).

Single serving yogurt or frozen yogurt.

Canned, frozen, fresh, or dried fruits and vegetables found in the Food Buying Guide for Child Nutrition Programs with preparation methods limited to baking, roasting, broiling, boiling, and steaming.

Water.
Milk containing one percent (1%) or less milk fat
Fruit juice containing fifty percent (50%) or more fruit juice with no added sweeteners (less than 8 oz portion)
Frozen fruit products containing 100% fruit with no added sweeteners (less than 8 oz portion)

Minimum Standards for After School Snack Programs
All After School Snack Programs (ASSP) administered by NC DPI shall meet the meal pattern requirements specified by the US Department of Agriculture.
All foods and beverages available to students enrolled in the ASSP shall meet the same criteria required for A la Carte foods and beverages.

Local Child Nutrition Programs shall implement these nutrition standards in all elementary schools no later than the first day of the 2008 school year.
The Child Nutrition Services Section of the Department of Public Instruction shall review the nutrition standards for elementary schools annually and shall modify the standards as needed based on several criteria, including, but not limited to, current science, best practices in the food and beverage industry, and the availability and affordability of new foods and beverages.
The Child Nutrition Services Section of the Department of Public Instruction shall monitor the progress of each local school administrative unit toward achieving the nutrition standards and shall provide technical assistance and training as needed to assist local school administrative units in implementing the nutrition standards. Each local Child Nutrition Program shall submit nutrient analyses of menus planned for the months of October and March annually which shall be used to assess progress towards achieving the standards.
The Child Nutrition Services Section shall report annually on the progress of each local school administrative unit to the State Board of Education, and to the Joint Legislative Education Oversight Committee.
Students who have special nutritional needs that are in conflict with the nutrition standards will be exempt from the standards. Each student's special needs must be addressed through a medically-recognized document provided by a health care professional. When the child's documented nutritional need differs from the nutrition standards, the Child Nutrition Program will comply with a documented plan or other specific instructions.

History Note:  Authority G.S. 115C-264.3; N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06H .0114  DISPUTE RESOLUTION PROCESS FOR HOMELESS STUDENTS - DEFINITIONS
The State Board of Education recognizes that the interests of students are best served when disputes are resolved informally at the local level where the issues and parties are best known.
As used in this Rule:
The terms "homeless," "homeless child," and "homeless student" shall mean the same as the term "homeless children and youth" as defined by 42 U.S.C. § 11434a(2). These terms shall also be deemed to include the term "unaccompanied youth".
The term "unaccompanied youth" shall mean the same as defined by 42 U.S.C. § 11434a(6).
The term "local educational agency" (LEA) includes local school administrative units, charter schools, lab schools, regional schools, Innovative School District schools, and Innovations Zone schools.
The term "LEA dispute resolution process" shall refer to the LEA's policy on resolving complaints brought by parents, guardians, or unaccompanied youth regarding students experiencing homelessness. The term shall refer to appeals processes within the LEA, prior to any appeal by the parent, guardian, or unaccompanied youth appeals to the State Coordinator.
The term "local liaison" shall refer to the official at each LEA, who ensures the LEA dispute resolution process for homeless children and youth is mediated in accordance with local, state, and federal policy as required by 42 U.S.C. § 11432(g)(6)(A)(vii).
The term "school business day" means days on which students are scheduled to be in attendance at school, according to the academic calendar adopted by the LEA.
The term "State Coordinator" shall refer to the staff person who carries out federally mandated duties regarding students experiencing homelessness as required by 42 U.S.C. § 11432(d)(3).
The term "State appeal process" shall refer to the policies the State Coordinator, LEAs, parents, guardians, and unaccompanied youth must follow when a parent, guardian, or unaccompanied youth seeks to appeal a dispute to the State Coordinator.

History Note:  Authority G.S. 115C-12; 150B-21; 42 U.S. Code § 11431; 42 U.S. Code § 11432; N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27(b); Emergency Rule Eff. August 20, 2019.

16 NCAC 06H .0115  DISPUTE RESOLUTION PROCESS FOR HOMELESS STUDENTS – LEA DISPUTE RESOLUTION PROCESS
Each LEA shall develop and implement a process for parents, guardians, or unaccompanied youth who have complaints about eligibility, school selection, or enrollment to file an appeal to the local liaison upon registering, or attempting to register, the child or youth at the school in which enrollment is sought. For purposes of this policy, the phrase "school in which enrollment is sought" may be either the school of origin or the school located in the attendance zone of the child or youth's temporary residence. Enrollment shall be deemed to include attending classes and participating fully in school activities. The LEA shall define and describe the LEA dispute resolution process in its local board of education's official policy manual. The LEA dispute resolution process shall provide that:

the parent, guardian, or unaccompanied youth may initiate the dispute resolution process with the local liaison at the school in which enrollment is sought or at the local liaison's office;
faculty and staff of the school who know about the complaint must refer the parent, guardian, or unaccompanied youth to the local liaison;
the local liaison shall expeditiously carry out the LEA dispute resolution process within fifteen school business days, or thirty calendar days, whichever is less;
the LEA official(s) responsible for making the final LEA decision are identified in the local policy;
the LEA shall enroll the child or youth immediately in the school in which enrollment is sought pending resolution of any complaint between the school or LEA and the parent, guardian, or unaccompanied youth over school enrollment;
the LEA shall provide the student with all the services for which the student is eligible and shall permit the student to participate fully in school activities while the dispute is being resolved;
the local liaison shall, at the time a complaint is made to the local liaison when practicable, but in no case more than one school business day later, provide the parent, guardian, or unaccompanied youth with a statement of rights and procedures, written in an understandable and uniform format, and to the extent practicable, in a language that the parent, guardian, or unaccompanied youth can understand, that informs them of:
contact information including telephone number, e-mail address, and physical address of the local liaison and of the State Coordinator for homeless education, with a brief description of their roles;
the right to notify the local liaison, within two school business days of the school's decision, of the parent, guardian or unaccompanied youth's intent to appeal the decision and the right to receive notice of the appeal procedure, including the timeline and process for making the initial appeal and any subsequent appeals available under LEA policy, which process must allow for appeals to be made orally or in writing and must identify the LEA official(s) who makes the final LEA decision;
a simple form that parents, guardians, or unaccompanied youth can complete and submit to the local liaison to formally initiate the appeal and any subsequent appeals available under LEA policy;
the right to appeal the final LEA decision to the State Coordinator within three school business days after the final LEA decision with the option of requesting an extension from the State Coordinator (though extensions are not guaranteed) and a step-by-step description on how to file this appeal;
the right to enroll immediately in the school located in the attendance zone of the child or youth's temporary residence or remain in the school of origin with transportation provided pending resolution of the dispute, if such transportation is requested by the parent, guardian, or local liaison on behalf of the youth;
notice that immediate enrollment includes full participation in all school activities;
the right to obtain assistance of advocates or attorneys;
the right to provide supporting written or oral documentation during the appeals process.

Each LEA shall appoint a local liaison for identifying homeless students. The local liaison shall:

- ensure that when parents, students, and unaccompanied youth initiate the dispute resolution process, all parties comply with the LEA's dispute resolution policy and that the parents, students, and unaccompanied youth are provided with the information listed above.
- ensure that each unaccompanied youth and any student experiencing homelessness who files a dispute about enrollment or whose parent or guardian files such a dispute is enrolled immediately in the school pending resolution of the dispute;
- communicate the LEA dispute resolution process to parents, guardians, and unaccompanied youth experiencing homelessness; and
- inform the LEA superintendent, other appropriate school officials, and the State Coordinator of the dispute immediately after the parent, guardian, or unaccompanied youth has initiated the dispute resolution process.

The State Coordinator shall train the local liaisons to carry out and mediate the dispute resolution process and to ensure that each school and the LEA meets the requirements of the McKinney-Vento Act as amended by the Every Student Succeeds Act of 2015.

**History Note:** Authority G.S. 115C-12; 150B-21; 42 U.S. Code § 11431; 42 U.S. Code § 11432; N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

**16 NCAC 06H .0116 DISPUTE RESOLUTION PROCESS FOR HOMELESS STUDENTS - STATE APPEAL PROCESS**

Any parent, guardian, or unaccompanied youth who is not satisfied with the final LEA decision regarding enrollment may appeal the decision, within three school business days after the final LEA decision, to the State Coordinator through an oral or written appeal to the State Coordinator, including:

- the name, physical address if available, e-mail address, and telephone number of the person filing the appeal;
- the relationship or connection of the person to the child in question;
- the name of the school system and the specific school in question;
- the federal requirement alleged to have been violated;
- how the requirement has been violated; and
- the relief the person is seeking.

If the State Coordinator receives an appeal that is not complete, the Coordinator shall contact the person making the appeal and the local liaison, explain the deficiency, and offer the person the opportunity to complete the appeal.

Upon request of the State Coordinator, the local liaison shall provide the State Coordinator with the record of the complaint, the LEA's actions, and other supporting documents. If the matter involves more than one LEA, then the local liaisons shall cooperate to provide
the State Coordinator with a complete record. In either event, the local liaison or liaisons shall provide the complete record within three school business days following the State coordinator’s request.

The State Coordinator shall provide the LEA and the parent, guardian, or unaccompanied youth with the opportunity to respond to the LEA decision and to provide any additional evidence they deem relevant within three school business days.

The State Coordinator shall issue a final written decision to the parent, guardian, or unaccompanied youth and the LEA involved within ten school business days following receipt of the complete appeal.

The State Coordinator's decision shall include:

- a summary of the issue appealed;
- the federal requirement at issue; and
- a description of the State Coordinator's decision in an understandable and uniform format, and, to the extent practicable, provided in a language that the parent, guardian, or unaccompanied youth can understand, including further steps that the LEA or parent, guardian, or unaccompanied youth are required to take.

Nothing contained in this Rule shall prohibit the State Coordinator from investigating whether the parent, guardian, or unaccompanied youth knowingly and voluntarily entered into any agreement affecting their rights under McKinney-Vento Act as amended by the Every Student Succeeds Act of 2015. If the State Coordinator determines that the parent, guardian, or unaccompanied youth did not knowingly and voluntarily enter into the agreement, then the State Coordinator may void the agreement and enter a decision consistent with the applicable facts and law.

History Note: Authority G.S. 115C-12; 150B-21; 42 U.S. Code § 11431; 42 U.S. Code § 11432; N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

16 NCAC 06H .0117 OPERATION OF FEDERAL PROGRAMS

In accordance with applicable federal regulations, the Department shall administer such federal education programs as are authorized by Congress and accepted by the State Board of Education.

In administering federal programs, the Department shall reclaim and/or withhold funds from any LEA or program sponsor that fails to comply with current federal regulations and state policies until the LEA or program sponsor complies.

History Note: Authority G.S. 115C-263; 115C-264; 115C-409; N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

16 NCAC 06K .0101 SCHOOL SECURITY

The North Carolina School for the Deaf, Eastern North Carolina School for the Deaf and the Governor Morehead School, shall develop and implement policies to provide guidance and support to the Education Services for the Deaf and Blind (ESDB) schools in the management of campus security.

History Note: Authority G.S. 115C-150.13; N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

16 NCAC 06K .0102 DUE PROCESS FOR EXCEPTIONAL CHILDREN STUDENTS

Education Services for the Deaf and Blind (ESDB) schools shall follow DPI Manual, NC Policies Governing Services for Children with Disabilities.


History Note: Authority G.S. 115C-150.13; N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

16 NCAC 06K .0103 NC STANDARD COURSE OF STUDY, OCCUPATIONAL COURSE AND EXTENDED CONTENT STANDARDS

Education Services for the Deaf and Blind (ESDB) shall follow the requirements of the NC Standard Course of Study, Occupational Course of Study, and Extended Content Standards, for each subject for which a standard is provided.

History Note: Authority G.S. 115C-150.13; N.C. Constitution, Article IX, Sec. 5;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);
16 NCAC 06K .0104  PLACEMENT PROCEDURES

Consistent with federal regulations, the Education Services for the Deaf and Blind (ESDB) shall establish uniform procedures for referral, screening, and placement of Deaf, Hard of Hearing, Blind, Deaf-Blind and Visually Impaired students in the state operated residential programs in ESDB.

Each ESDB school shall name a school representative who is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of the child. The individual must hold a current license as a special education teacher, administrator in North Carolina, or speech/language pathologist. In addition, the individual shall be knowledgeable about the North Carolina Standard Course of Study; Occupational Course of Study (OCS) and Extended Content Standards (ECS); and knowledgeable of the available resources of the school. It is important that the school representative has the authority to commit school resources and ensure that whatever services are described in the Individualized Education Program (IEP) will be provided.

The school representative will contact the local special education director, (not a particular school, unless directed by the local Exceptional Children director) and arrange to observe the student referred in multiple settings, including the student’s classroom, cafeteria and a non-structured setting. All contact concerning possible admission to a residential school must be initiated by the LEA. Inquiries from parents and others shall be directed to the appropriate LEA.

The school representative will review forms and consider information used in making the recommendation for placement. (Schools should consider the present status and needs of the student, reason for referral, and services presently and previously provided, and results of screening and assessment.) All state-adopted forms must be completed and signed.

The school representative will participate in discussions about the least restrictive environment for student.

If the IEP team decides that residential school placement is the least restrictive environment for the referred student, the ESDB school representative should take a copy of properly completed and signed forms back to the appropriate ESDB school, discuss with staff and plan for the student’s transition.

The ESDB superintendent shall be notified of all student placements and transitions back to an LEA.

History Note:  
Authority G.S. 115C-150.13; N.C. Constitution, Article IX, Sec. 5; Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b); Emergency Rule Eff. August 20, 201.

16 NCAC 06K .0105  WEAPONS PROHIBITED ON SCHOOL PROPERTY

All Education Services for the Deaf and Blind (ESDB) schools and places of employment within ESDB shall be free of all unauthorized weapons. No employee or other person shall carry, or engage another person to carry, whether openly or concealed, an unauthorized weapon as defined below, on to school property at any time.

Weapon is defined as any gun, rifle, pistol, or other firearm of any kind, or any dynamite cartridge, bomb, grenade, mine or other powerful explosive, BB gun, stun gun, air rifle, air pistol, bowie knife, dirk, dagger, slingshot, ledged cane, switchblade knife (a knife containing a blade that opens automatically by the release of a spring or a similar contrivance), blackjack, metallic knuckles, razors and razor blades (except solely for personal shaving), firework, and any sharp-pointed or edged instrument except instructional supplies, unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance, on school property.

School property is defined as any building, bus, school campus, grounds, recreational area, athletic field, or other property owned, used, or operated by the Education Services for the Deaf and the Blind.

Exceptions Include:

1. A weapon used solely for educational or school-sanctioned ceremonial purposes, or used in a school approved program conducted under the supervision of an adult whose supervision has been approved by the school director;
2. Firefighters, emergency service personnel, North Carolina Forest Service Personnel, and any private police employed by the Education Service for the Deaf and the Blind when acting in the discharge of their official duties, law enforcement officers, or any of those persons specifically exempted by G.S. 14-269 (b).

Any employee who is aware that an unauthorized weapon has been carried onto school property must immediately notify the school director.

1. Violation of this policy may subject the employee to disciplinary action up to and including dismissal.
2. The principal shall immediately report violations of this policy to law enforcement.