

RRC STAFF OPINION

PLEASE NOTE: THIS COMMUNICATION IS EITHER 1) ONLY THE RECOMMENDATION OF AN RRC STAFF ATTORNEY AS TO ACTION THAT THE ATTORNEY BELIEVES THE COMMISSION SHOULD TAKE ON THE CITED RULE AT ITS NEXT MEETING, OR 2) AN OPINION OF THAT ATTORNEY AS TO SOME MATTER CONCERNING THAT RULE. THE AGENCY AND MEMBERS OF THE PUBLIC ARE INVITED TO SUBMIT THEIR OWN COMMENTS AND RECOMMENDATIONS (ACCORDING TO RRC RULES) TO THE COMMISSION.

AGENCY: State Board of Education

RULE CITATION: 16 NCAC 06C .0345

RECOMMENDED ACTION:

- Approve, but note staff's comment
- X Object, based on:
 - Lack of statutory authority
 - Unclear or ambiguous
- X Unnecessary
 - Failure to comply with the APA
- Extend the period of review

COMMENT:

Staff also recommends objection to this Rule for lack of necessity because it repeats the requirements of G.S. 115C-284(c).

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

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

The Board shall issue a one-year provisional assistant principal's certificate to an employee of a local board only if: (i) the local board determines there is a shortage of persons who hold or are qualified to hold a principal's certificate and the employee enrolls in an approved program leading to a masters degree in school administration before the provisional certificate expires; or

(ii) the employee is enrolled in an approved masters in school administration program and is participating in the required internship under the masters program. The Board shall extend the provisional certificate for a total of no more than two additional years while the employee is completing the program.

1 16 NCAC 06C .0345 is proposed for adoption as follows:

2 **16 NCAC 06C .0345 REQUIREMENTS TO BE ISSUED A PROVISIONAL LICENSE FOR**
3 **PRINCIPALS AND ASSISTANT PRINCIPALS**

4 (a) A one-year provisional principal's license may be issued to individuals selected by local boards of education for
5 employment as assistant principals if:

6 (1) The local board has determined there is a shortage of persons who hold or are qualified to hold a
7 principal's license and the employee enrolls in an approved program leading to a master's degree in
8 school administration before the provisional license expires; or

9 (2) The employee is enrolled in an approved masters in school administration program and is
10 participating in the required internship under the Masters program.

11 (b) The Department may renew the provisional license on an annual basis for a total of no more than two additional
12 years while the employee is completing the program.

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14 History Note: Authority G.S. 115C-12; 115C-268.1; 115C-268.5; 115C-270.5; 115C-270.20; 115C-284;

15 Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);

16 Emergency Rule Eff. August 20, 2019.

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