

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 883*

Education/Higher Education Committee Substitute Adopted 5/11/93

Appropriations Committee Substitute Adopted 7/21/93

Fourth Edition Engrossed 7/22/93

Short Title: Teaching Standards Bd. Created.

(Public)

Sponsors:

Referred to:

April 19, 1993

A BILL TO BE ENTITLED

AN ACT TO CREATE THE NORTH CAROLINA PROFESSIONAL TEACHING STANDARDS BOARD.

The General Assembly of North Carolina enacts:

Section 1. Article 20 of Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-295.1. North Carolina Professional Teaching Standards Board created.

(a) There is created the North Carolina Professional Teaching Standards Board (the 'Board'). The Board shall be located administratively within the Department of Public Education but shall exercise its statutory powers and duties independently of the State Board of Education and the Department of Public Instruction. The Department of Public Instruction shall provide offices, office equipment, and meeting space to the Board.

(b) The purpose of the Board is to establish high standards for North Carolina teachers and the teaching profession.

(c) The Board shall:

(1) Prepare a plan to assume the duties necessary to establish high standards for teachers and the teaching profession.

(2) Recommend operational policy.

(3) Establish committees of the Board as needed.

(d) The Board shall consist of the following 20 members:

- 1 (1) The State Superintendent of Public Instruction.
- 2 (2) Four teachers, at least one of whom teaches in elementary school, one
3 of whom teaches vocational education, and one instructional support
4 teacher appointed by the Governor.
- 5 (3) Three teachers, at least one of whom teaches in middle or junior high
6 school, and one of whom teaches special education, appointed by the
7 General Assembly upon the recommendation of the President Pro
8 Tempore of the Senate. At least one of the teachers shall be a member
9 of the political party to which the largest minority of the members of
10 the General Assembly belongs.
- 11 (4) Three teachers, at least one of whom teaches in high school appointed
12 by the General Assembly upon the recommendation of the Speaker of
13 the House of Representatives. At least one of the teachers shall be a
14 member of the political party to which the largest minority of the
15 members of the General Assembly belongs.
- 16 (5) One school administrator appointed by the Governor.
- 17 (6) Two representatives of teacher education institutions, one of whom
18 shall be a representative of an independent teacher education
19 institution, appointed by the Governor.
- 20 (7) One representative of business appointed by the Governor.
- 21 (8) One State Board member appointed by the Governor.
- 22 (9) Two at-large members appointed by the Governor. These members
23 may represent business, parents of primary or secondary school
24 students, and local school boards.
- 25 (10) Two at-large members appointed by the General Assembly, one of
26 these members shall be appointed upon the recommendation of the
27 President Pro Tempore of the Senate, and one of these members shall
28 be appointed upon the recommendation of the Speaker of the House of
29 Representatives. These members may represent business, parents of
30 primary and secondary school students, and local school boards.

31 In making appointments, the appointing authorities are encouraged to select
32 qualified citizens who are committed to improving the teaching profession and student
33 achievement and who represent the racial, geographic, and gender diversity of the State.

34 The members shall serve for four-year terms. The Governor shall designate six of
35 the Governor's initial appointees to serve for two-year terms, and the General Assembly
36 shall designate two of the initial appointees upon the recommendation of the President
37 Pro Tempore of the Senate and two of the initial appointees upon the recommendation
38 of the Speaker of the House of Representatives to serve for two-year terms. Initial terms
39 shall begin September 1, 1993.

40 Legislative appointments shall be made in accordance with G.S. 120-121.
41 Vacancies in appointments made by the General Assembly shall be filled in accordance
42 with G.S. 120-122. Vacancies in appointments made by the Governor shall be filled by
43 the Governor for the remainder of the unexpired terms. Persons appointed to fill
44 vacancies shall qualify in the same manner as persons appointed for full terms.

1 Any initial legislative appointments to the Board that are not made before the
2 General Assembly has adjourned to a date certain, which date is more than 10 days after
3 the date of adjournment, shall be filled by the Governor under G.S. 120-122 as if they
4 are vacancies occurring after the General Assembly had made the appointments.

5 (e) The Governor shall appoint the initial chair and vice-chair of the Board from
6 among the teacher appointees to the Board. The initial chair and vice-chair shall serve
7 for two-year terms and may be reelected by the Board to serve subsequent terms. The
8 Board shall elect any subsequent chair and vice-chair from its members for two-year
9 terms. The chair and vice-chair shall be eligible for continuing reelection.

10 (f) The initial meeting of the Board shall be held upon the call of the Governor.
11 Subsequent meetings shall be held upon the call of the chair.

12 (g) Members of the Board who are State or public school employees shall receive
13 travel expenses as set forth in G.S. 138-6. All other Board members shall receive per
14 diem and travel expenses as set forth in G.S. 138-5."

15 Sec. 2. Appointments to the Board shall be made within 30 days of the
16 ratification of this act. The first meeting of the Board shall be held upon the call of the
17 Governor and shall be held within 60 days of the ratification of this act.

18 Sec. 3. G.S. 120-123 is amended by adding a new subdivision to read:

19 "(62) The North Carolina Professional Teaching Standards Board, as
20 established by G.S. 115C-295.1."

21 Sec. 4. (a) To establish high standards for teachers and the teaching
22 profession, the North Carolina Professional Teaching Standards Board (the "Board")
23 shall prepare a plan for North Carolina to:

- 24 (1) Set standards for licensure of public school teachers and other public
25 school employees paid on the teacher salary schedules;
- 26 (2) Issue, renew, and revoke these licenses;
- 27 (3) Monitor ethics and professional practices of teachers; and
- 28 (4) Approve reciprocity agreements between North Carolina and other
29 states with regard to teacher licensure in accordance with G.S. 115C-
30 358.

31 (a1) The Department of Public Instruction shall provide staff to the Board to
32 assist it in its work.

33 (b) In its plan the Board shall include a timetable for the assumption of each duty
34 and budget details which include anticipated staffing, office, consultant, and other
35 needs.

36 The plan shall explain how any transfer of the statutory authority, powers,
37 duties, functions, and records of the State Board of Education to the Board with regard
38 to (i) setting standards and fees for licensure of public school teachers and other public
39 school employees paid on the teacher salary schedules, (ii) issuing, renewing, and
40 revoking these licenses, (iii) monitoring ethics and professional practices of teachers,
41 and (iv) approving reciprocity agreements between North Carolina and other states with
42 regard to teacher licensure, may be accomplished.

43 The plan shall explain how any transfer of the statutory authority, powers,
44 duties, functions, records, personnel, property, unexpended balances of appropriations,

1 and allocations or other funds, including the functions of budgeting and purchasing, of
2 the Department of Public Instruction to the Board with regard to (i) setting standards
3 and fees for licensure of public school teachers and other public school employees paid
4 on the teacher salary schedules, (ii) issuing, renewing, and revoking these licenses, (iii)
5 monitoring ethics and professional practices of teachers; and (iv) approving reciprocity
6 agreements between North Carolina and other states with regard to teacher licensure,
7 may be accomplished.

8 (c) No later than February 1, 1994, the Board shall make an interim report of its
9 plan to the Joint Legislative Education Oversight Committee. No later than April 15,
10 1994, the Board shall make a final report of its plan to the Joint Legislative Education
11 Oversight Committee. Copies of the reports shall be submitted by the Board to the
12 Governor, the State Board of Education, and the State Superintendent of Public
13 Instruction.

14 (d) The Joint Legislative Education Oversight Committee may recommend
15 legislation to implement the plan which may be considered by the 1994 Session of the
16 1993 General Assembly.

17 Sec. 4.1. Per diem and travel expenses of the Board shall be paid from within
18 the funds appropriated to the Department of Public Instruction for the 1993-94 fiscal
19 year.

20 Sec. 5. This act becomes effective August 1, 1993.