



TEMPORARY RULE-MAKING FINDINGS OF NEED

[Authority G.S. 150B-21.1]

OAH USE ONLY

VOLUME:

ISSUE:

1. Rule-Making Agency: State Board of Education

2. Rule citation & name: 16 NCAC 06C .0314

3. Action: Adoption Amendment Repeal

4. Was this an Emergency Rule: Yes No Effective date: 7/11/19

5. Provide dates for the following actions as applicable:

- a. Proposed Temporary Rule submitted to OAH: 7/15/19
- b. Proposed Temporary Rule published on the OAH website: 7/17/19
- c. Public Hearing date: 7/31/19
- d. Comment Period: 7/17/19 – 8/9/19
- e. Notice pursuant to G.S. 150B-21.1(a3)(2): 7/15/19
- f. Adoption by agency on: 10/3/19
- g. Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]:
- h. Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:

6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.

- A serious and unforeseen threat to the public health, safety or welfare.
- The effective date of a recent act of the General Assembly or of the U.S. Congress.
Cite: S.L. 2019-71
Effective date: 7/1/19
- A recent change in federal or state budgetary policy.
Effective date of change:
- A recent federal regulation.
Cite:
Effective date:
- A recent court order.
Cite order:
- State Medical Facilities Plan.
- Other:

Explain: See attached Session Law 2019-71.

7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?

Session Law 2019-71 explicitly directs the State Board to adopt emergency rules for the implementation of the act in accordance with G.S. 150B-21.1A. These rules were adopted as emergency rules on 7/11/19 by the State Board of Education and were submitted to OAH on 7/15/19 as proposed temporary rules.

In order to prevent these emergency rules from expiring under G.S. 150B-21.1A(d), they must be adopted as temporary rules and submitted to the Rules Review Commission on or prior to October 14, 2019.

8. Rule establishes or increases a fee? (See G.S. 12-3.1)

Yes

Agency submitted request for consultation on:
Consultation not required. Cite authority:

No

9. Rule-making Coordinator: Eric Snider

Phone: 919-807-3405

E-Mail: eric.snider@dpi.nc.gov

Agency contact, if any: Lou Martin

Phone: 919-807-3402

E-Mail: lou.martin@dpi.nc.gov

10. Signature of Agency Head*:



* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.

Typed Name: Eric Davis

Title: Chair, State Board of Education

E-Mail: Eric.Davis@dpi.nc.gov

RULES REVIEW COMMISSION USE ONLY

Action taken:

Submitted for RRC Review:

Date returned to agency:

TEMPORARY RULE
REQUEST FOR TECHNICAL CHANGE

AGENCY: State Board of Education

RULE CITATION: 16 NCAC 06C .0314

DEADLINE FOR RECEIPT: October 14, 2019

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

In box 2 of the form, please add the name of the rule.

In box 4 of the form, please correct the effective date of the emergency rule to July 15, 2019.

In the rule, at line 6, please change "satisfies its statutory duty to" to "shall."

Please consider making the sentence beginning at line 12 Paragraph (b) and changing the current Paragraph (b) to Paragraph (c).

At line 12, who does the Department send the notice to? Is it the teacher?

At line 12, what are the first-year licensure examination requirements and how do they differ from the examination requirements at line 16?

At line 14, what are the "licensure examination requirements?" Is this set forth in rule or are you referring to the requirements in 115C-270.15?

At line 16, what documentation is required to show compliance? Are you asking for submission of an examination score?

In your history note, why do you list NC Constitution Article IX, Section 5?

In your history note, please move the effective date of the emergency rules to the next line. Please refer to 26 NCAC 02C .0108(8) for history note formatting instructions.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Ashley Snyder
Commission Counsel
Date submitted to agency: October 11, 2019

1 16 NCAC 06C .0314 is proposed for adoption under temporary procedures as follows:

2
3 **16 NCAC 06C .0314 INITIAL PROFESSIONAL LICENSE: NOTIFICATION OF NON-COMPLIANCE**
4 **AND SUBMISSION OF EXAMINATION REQUIREMENTS**

5 (a) When the holder of an initial professional license is not in compliance with the requirements of G.S. 115C-270.15,
6 the Department of Public Instruction satisfies its statutory duty to notify the teacher of such deficiencies by
7 transmitting at least one communication to the teacher through either:

8 (1) electronic mail to the applicant's last known email address as reported to the Department's
9 Licensure Office; or

10 (2) regular mail to the applicant's last known physical address as reported to the Department's
11 Licensure Office.

12 The Department shall provide notification of noncompliance with first-year licensure examination requirements by
13 July 31 each year. A teacher's failure to receive actual notice of noncompliance shall not constitute grounds for an
14 extension of time to complete licensure examination requirements.

15 (b) Teachers seeking to convert an initial professional license to a continuing professional license shall submit to the
16 Department all documentation required to show compliance with the examination requirements.

17
18 History Note: Authority G.S. 115C-270.15(d); 115C-270.15(e); N.C. Constitution, Article IX, Sec.. 5;
19 Emergency Adoption eff. July 23, 2019, pursuant to S.L. 2019-71.
20

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

SESSION LAW 2019-71
SENATE BILL 219

AN ACT TO MODIFY TEACHER LICENSURE REQUIREMENTS.

The General Assembly of North Carolina enacts:

PART I. MODIFICATIONS TO INITIAL PROFESSIONAL LICENSES

SECTION 1.1. G.S. 115C-270.15 reads as rewritten:

"§ 115C-270.15. Examination requirements for initial professional licenses.

(a) **Examination Score Requirements.** – The State Board of Education shall require an applicant for an initial professional license (IPL) to demonstrate the applicant's academic and professional preparation by achieving a prescribed minimum score on a standard examination appropriate and adequate for that purpose. Elementary education (K-6) and special education general curriculum teachers shall also achieve a prescribed minimum score on subtests or standard examinations specific to teaching reading and mathematics.

(b) **Establishment of Minimum Scores.** – The State Board shall adopt rules that establish the minimum scores for any required standard examinations and other measures necessary to assess the qualifications of professional educators as required under this section. For purposes of this section, the State Board shall not be subject to Article 2A of Chapter 150B of the General Statutes. At least 30 days prior to changing any rule adopted under this section, the State Board shall provide written notice to all recognized educator preparation programs and to all local boards of education. The written notice shall include the proposed revised rule. The State Board of Education shall make any required standard initial professional licensure exam rigorous and raise the prescribed minimum score as necessary to ensure that each applicant has received high-quality academic and professional preparation to teach effectively.

(c) **Time Line for Completion of Examinations.** – The State Board of Education shall permit an applicant to fulfill any such ~~testing-examination~~ requirement before or during the ~~applicant's second year of teaching, third year of the IPL,~~ provided the applicant took the examination at least once during the first year of ~~teaching the license.~~

(d) **Monitoring Compliance.** – For teachers with an IPL, the State Board shall direct the Department of Public Instruction to monitor the teachers' compliance with this section throughout the duration of the IPL. In the event a teacher is not in compliance with any of the requirements of this section, the Department shall notify the teacher.

(e) **Conversion to Continuing Professional License.** – The State Board shall not convert an IPL to a continuing professional license for a teacher who has not fulfilled the examination requirements of this section."

SECTION 1.2. Elementary education (K-6) or special education general curriculum teachers with an initial professional license that is set to expire June 30, 2019, due to the failure to fulfill the licensure examination requirements pursuant to G.S. 115C-270.15, shall be granted an extension until June 30, 2020.

SECTION 1.3. The State Board shall comply with G.S. 115C-270.15(d), as enacted by this act, beginning with applicants for teacher licensure on or after July 1, 2019.

PART II. CREATION OF LIMITED LICENSES



SECTION 2.1. G.S. 115C-270.20(a) is amended by adding a new subdivision to read:

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

a. IPL licensee. – Both of the following are met:

- 1. The individual was issued an IPL, but did not qualify for a CPL under G.S. 115C-270.15(e).**
- 2. The local board of education submits to the State Board an affidavit stating that the teacher is currently employed by that local board, is an effective teacher, and will be encouraged to continue to pursue a CPL. The affidavit shall be signed by both the principal and superintendent for the school to which the teacher is currently assigned.**

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

- 1. The individual holds current teacher licensure in another state that is in good standing.**
- 2. The local board of education submits to the State Board an affidavit stating that the local board seeks to employ the teacher, that the teacher has been employed as a licensed teacher in another state for at least three years, and that the teacher will be encouraged to pursue an IPL or CPL, as appropriate for that teacher. The affidavit shall be signed by the superintendent for the local board of education seeking to employ the teacher."**

SECTION 2.2. G.S. 115C-270.25 reads as rewritten:

"§ 115C-270.25. Out-of-state license applicants.

Initial applications for a continuing professional license from an individual with an out-of-state teacher's license shall require the applicant to provide evidence of that teacher's effectiveness, when available, as measured by the evaluation system used in that applicant's state of current licensure at the time of application, including any growth measures included in that evaluation system. ~~Applications that include the evidence of that educator's effectiveness shall be prioritized for review over initial applications from applicants with out-of-state licenses that do not include that information.~~ An individual who does not include evidence of that teacher's effectiveness with the initial application shall only be eligible for an ~~IPL~~. IPL or LL."

SECTION 2.3. G.S. 93B-15.1(i) reads as rewritten:

"(i) For the purposes of this section, the State Board of Education shall be considered an occupational licensing board when issuing teacher licenses under Article 17E of Subchapter V of Chapter 115C of the General Statutes. In addition to the provisions for licensure provided by this section, a local board of education may request a three-year limited license for a military spouse who holds a current teaching license in another jurisdiction pursuant to G.S. 115C-270.20(a)(4a)."

PART III. PAY FOR NEWLY EMPLOYED TEACHERS WITH EXPERIENCE CREDIT

SECTION 3. G.S. 115C-302.1 is amended by adding a new subsection to read:

"(b3) Pay for Newly Employed Teachers with Experience Credit. – Notwithstanding any other provision of law, a local board of education shall determine experience credit for a teacher in that teacher's first year of employment with the board for the purposes of paying the teacher with State-allotted funds in accordance with the State salary schedule. Notwithstanding subsection (f) of this section, the local board of education and the teacher shall not be responsible for the repayment of any overpayment of State funds due to misapplication of experience credit for the State salary schedule for the first year of employment when the determination of experience credit was done in good faith based on the teacher's verified prior employment record and the guidelines established by the State Board of Education for awarding experience credit. However, a local board of education that does not use due diligence to verify prior employment will be responsible for the repayment of any overpayment of State funds. A teacher paid in accordance with this subsection (i) shall not be entitled to the same pay on the State salary schedule for teachers for subsequent years of employment after the State Board determines the appropriate experience credit for that teacher and (ii) shall not be deemed to be demoted under Part 3 of Article 22 of this Chapter if the State Board's determination of experience credit results in a reduction in salary in subsequent years of employment."

PART IV. MODIFICATIONS TO LIFETIME TEACHING LICENSES

SECTION 4.1. G.S. 115C-270.20(a)(4) reads as rewritten:

"(4) Lifetime license. – A license issued to a teacher after ~~50~~ 30 or more years of teaching as a licensed teacher that requires no renewal. For the purposes of this subdivision, a teacher shall be determined to have completed 30 or more years of teaching as a licensed teacher when the teacher holds a current North Carolina teaching license and has completed 30 or more years of creditable service with the Teachers' and State Employees' Retirement System."

SECTION 4.2. G.S. 115C-270.20(a)(6) is repealed.

SECTION 4.3. G.S. 115C-270.30(b)(3) is repealed.

PART V. EMERGENCY RULE-MAKING AUTHORITY

SECTION 5. As soon as practicable, and no more than 10 calendar days from the effective date of this act, the State Board of Education shall adopt emergency rules for the implementation of this act in accordance with G.S. 150B-21.1A. This section does not require any rule making if not otherwise required by law.

PART VI. EFFECTIVE DATE

SECTION 6. This act is effective when it becomes law and, except as otherwise provided in this act, applies beginning with applications for teacher licensure submitted on or after the eighteenth day following the effective date of this act.

In the General Assembly read three times and ratified this the 25th day of June, 2019.

s/ Daniel J. Forest
President of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Roy Cooper
Governor

Approved 5:16 p.m. this 1st day of July, 2019



TEMPORARY RULE-MAKING FINDINGS OF NEED

[Authority G.S. 150B-21.1]

OAH USE ONLY

VOLUME:

ISSUE:

1. Rule-Making Agency: State Board of Education

2. Rule citation & name: 16 NCAC 06C .0315

3. Action: Adoption Amendment Repeal

4. Was this an Emergency Rule: Yes No Effective date: 7/11/19

5. Provide dates for the following actions as applicable:

- a. Proposed Temporary Rule submitted to OAH: 7/15/19
- b. Proposed Temporary Rule published on the OAH website: 7/17/19
- c. Public Hearing date: 7/31/19
- d. Comment Period: 7/17/19 – 8/9/19
- e. Notice pursuant to G.S. 150B-21.1(a3)(2): 7/15/19
- f. Adoption by agency on: 10/3/19
- g. Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]:
- h. Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:

6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.

- A serious and unforeseen threat to the public health, safety or welfare.
- The effective date of a recent act of the General Assembly or of the U.S. Congress.
Cite: S.L. 2019-71
Effective date: 7/1/19
- A recent change in federal or state budgetary policy.
Effective date of change:
- A recent federal regulation.
Cite:
Effective date:
- A recent court order.
Cite order:
- State Medical Facilities Plan.
- Other:

Explain: See attached Session Law 2019-71.

7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?

Session Law 2019-71 explicitly directs the State Board to adopt emergency rules for the implementation of the act in accordance with G.S. 150B-21.1A. These rules were adopted as emergency rules on 7/11/19 by the State Board of Education and were submitted to OAH on 7/15/19 as proposed temporary rules.

In order to prevent these emergency rules from expiring under G.S. 150B-21.1A(d), they must be adopted as temporary rules and submitted to the Rules Review Commission on or prior to October 14, 2019.

8. Rule establishes or increases a fee? (See G.S. 12-3.1)

Yes

Agency submitted request for consultation on:
Consultation not required. Cite authority:

No

9. Rule-making Coordinator: Eric Snider

Phone: 919-807-3405

E-Mail: eric.snider@dpi.nc.gov

Agency contact, if any: Lou Martin

Phone: 919-807-3402

E-Mail: lou.martin@dpi.nc.gov

10. Signature of Agency Head*:



* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.

Typed Name: Eric Davis

Title: Chair, State Board of Education

E-Mail: Eric.Davis@dpi.nc.gov

RULES REVIEW COMMISSION USE ONLY

Action taken:

Submitted for RRC Review:

Date returned to agency:

TEMPORARY RULE
REQUEST FOR TECHNICAL CHANGE

AGENCY: State Board of Education

RULE CITATION: 16 NCAC 06C .0315

DEADLINE FOR RECEIPT: October 14, 2019

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

In box 2 of the form, please add the name of the rule.

In box 4 of the form, please correct the effective date of the emergency rule to July 15, 2019.

In the rule, please delete the "(a)" at line 6 since there is no (b).

At line 6, please delete or define "currently."

At line 7, by "continuing license" do you mean "continuing professional license?"

At line 8, is it necessary to say "at least?" Rules always set minimum requirements.

In (3), what do you mean by "effective instructional practice?" Is that a term of art known to your regulated public? Are you requesting standard classroom observation evaluations or are you asking for the evaluation to include something specific?

In (4)(A), lines 18-19, what is considered "relevant documentation?"

In your history note, why do you list NC Constitution Article IX, Section 5?

In your history note, please move the effective date of the emergency rules to the next line. Please refer to 26 NCAC 02C .0108(8) for history note formatting instructions.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Ashley Snyder
Commission Counsel
Date submitted to agency: October 11, 2019

1 16 NCAC 06C .0315 is adopted under temporary procedures as follows:

2
3 **16 NCAC 06C .0315 EVIDENCE OF TEACHER EFFECTIVENESS TO BE SUBMITTED BY**
4 **LICENSED OUT-OF-STATE TEACHERS SEEKING A CONTINUING**
5 **PROFESSIONAL LICENSE**

6 (a) A teacher who possesses three or more years of teaching experience and currently holds an initial professional
7 license or its equivalent in a state other than North Carolina shall be eligible for a continuing license, provided that he
8 or she submits to the Department of Public Instruction evidence of his or her effectiveness, which shall include at least
9 the following:

- 10 (1) a copy of a current, valid out-of-state teaching license in good standing;
11 (2) information identifying all of the schools and school systems in which the educator is teaching or
12 has taught;
13 (3) documentation of effective instructional practice in the form of a written classroom observation
14 evaluation; and
15 (4) the following:
16 (A) documentation of teacher effectiveness as measured by the evaluation system used in that
17 applicant's state of current licensure at the time of application, including any growth
18 measures included in that state or school district's evaluation system along with relevant
19 documentation, corresponding to each submitted item of evidence indicating the scale by
20 which effectiveness is measured; or
21 (B) an official letter from the State Education Agency (SEA) affirming that the teacher was
22 deemed effective according to that state's educator effectiveness model.

23
24 History Note: Authority G.S. 115C-270.25; N.C. Constitution, Article IX, Sec. 5; Emergency Adoption
25 eff. July 23, 2019, pursuant to S.L. 2019-71.
26

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

**SESSION LAW 2019-71
SENATE BILL 219**

AN ACT TO MODIFY TEACHER LICENSURE REQUIREMENTS.

The General Assembly of North Carolina enacts:

PART I. MODIFICATIONS TO INITIAL PROFESSIONAL LICENSES

SECTION 1.1. G.S. 115C-270.15 reads as rewritten:

"§ 115C-270.15. Examination requirements for initial professional licenses.

(a) **Examination Score Requirements.** – The State Board of Education shall require an applicant for an initial professional license (IPL) to demonstrate the applicant's academic and professional preparation by achieving a prescribed minimum score on a standard examination appropriate and adequate for that purpose. Elementary education (K-6) and special education general curriculum teachers shall also achieve a prescribed minimum score on subtests or standard examinations specific to teaching reading and mathematics.

(b) **Establishment of Minimum Scores.** – The State Board shall adopt rules that establish the minimum scores for any required standard examinations and other measures necessary to assess the qualifications of professional educators as required under this section. For purposes of this section, the State Board shall not be subject to Article 2A of Chapter 150B of the General Statutes. At least 30 days prior to changing any rule adopted under this section, the State Board shall provide written notice to all recognized educator preparation programs and to all local boards of education. The written notice shall include the proposed revised rule. The State Board of Education shall make any required standard initial professional licensure exam rigorous and raise the prescribed minimum score as necessary to ensure that each applicant has received high-quality academic and professional preparation to teach effectively.

(c) **Time Line for Completion of Examinations.** – The State Board of Education shall permit an applicant to fulfill any such ~~testing~~ examination requirement before or during the ~~applicant's second year of teaching, third year of the IPL,~~ provided the applicant took the examination at least once during the first year of ~~teaching the license.~~

(d) **Monitoring Compliance.** – For teachers with an IPL, the State Board shall direct the Department of Public Instruction to monitor the teachers' compliance with this section throughout the duration of the IPL. In the event a teacher is not in compliance with any of the requirements of this section, the Department shall notify the teacher.

(e) **Conversion to Continuing Professional License.** – The State Board shall not convert an IPL to a continuing professional license for a teacher who has not fulfilled the examination requirements of this section."

SECTION 1.2. Elementary education (K-6) or special education general curriculum teachers with an initial professional license that is set to expire June 30, 2019, due to the failure to fulfill the licensure examination requirements pursuant to G.S. 115C-270.15, shall be granted an extension until June 30, 2020.

SECTION 1.3. The State Board shall comply with G.S. 115C-270.15(d), as enacted by this act, beginning with applicants for teacher licensure on or after July 1, 2019.

PART II. CREATION OF LIMITED LICENSES



SECTION 2.1. G.S. 115C-270.20(a) is amended by adding a new subdivision to read:

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

a. IPL licensee. – Both of the following are met:

1. The individual was issued an IPL, but did not qualify for a CPL under G.S. 115C-270.15(e).
2. The local board of education submits to the State Board an affidavit stating that the teacher is currently employed by that local board, is an effective teacher, and will be encouraged to continue to pursue a CPL. The affidavit shall be signed by both the principal and superintendent for the school to which the teacher is currently assigned.

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

1. The individual holds current teacher licensure in another state that is in good standing.
2. The local board of education submits to the State Board an affidavit stating that the local board seeks to employ the teacher, that the teacher has been employed as a licensed teacher in another state for at least three years, and that the teacher will be encouraged to pursue an IPL or CPL, as appropriate for that teacher. The affidavit shall be signed by the superintendent for the local board of education seeking to employ the teacher."

SECTION 2.2. G.S. 115C-270.25 reads as rewritten:

"§ 115C-270.25. Out-of-state license applicants.

Initial applications for a continuing professional license from an individual with an out-of-state teacher's license shall require the applicant to provide evidence of that teacher's effectiveness, when available, as measured by the evaluation system used in that applicant's state of current licensure at the time of application, including any growth measures included in that evaluation system. ~~Applications that include the evidence of that educator's effectiveness shall be prioritized for review over initial applications from applicants with out-of-state licenses that do not include that information.~~ An individual who does not include evidence of that teacher's effectiveness with the initial application shall only be eligible for an ~~IPL~~, IPL or LL."

SECTION 2.3. G.S. 93B-15.1(i) reads as rewritten:

"(i) For the purposes of this section, the State Board of Education shall be considered an occupational licensing board when issuing teacher licenses under Article 17E of Subchapter V of Chapter 115C of the General Statutes. In addition to the provisions for licensure provided by this section, a local board of education may request a three-year limited license for a military spouse who holds a current teaching license in another jurisdiction pursuant to G.S. 115C-270.20(a)(4a)."

PART III. PAY FOR NEWLY EMPLOYED TEACHERS WITH EXPERIENCE CREDIT

SECTION 3. G.S. 115C-302.1 is amended by adding a new subsection to read:

"(b3) Pay for Newly Employed Teachers with Experience Credit. – Notwithstanding any other provision of law, a local board of education shall determine experience credit for a teacher in that teacher's first year of employment with the board for the purposes of paying the teacher with State-allotted funds in accordance with the State salary schedule. Notwithstanding subsection (f) of this section, the local board of education and the teacher shall not be responsible for the repayment of any overpayment of State funds due to misapplication of experience credit for the State salary schedule for the first year of employment when the determination of experience credit was done in good faith based on the teacher's verified prior employment record and the guidelines established by the State Board of Education for awarding experience credit. However, a local board of education that does not use due diligence to verify prior employment will be responsible for the repayment of any overpayment of State funds. A teacher paid in accordance with this subsection (i) shall not be entitled to the same pay on the State salary schedule for teachers for subsequent years of employment after the State Board determines the appropriate experience credit for that teacher and (ii) shall not be deemed to be demoted under Part 3 of Article 22 of this Chapter if the State Board's determination of experience credit results in a reduction in salary in subsequent years of employment."

PART IV. MODIFICATIONS TO LIFETIME TEACHING LICENSES

SECTION 4.1. G.S. 115C-270.20(a)(4) reads as rewritten:

"(4) Lifetime license. – A license issued to a teacher after ~~50~~30 or more years of teaching as a licensed teacher that requires no renewal. For the purposes of this subdivision, a teacher shall be determined to have completed 30 or more years of teaching as a licensed teacher when the teacher holds a current North Carolina teaching license and has completed 30 or more years of creditable service with the Teachers' and State Employees' Retirement System."

SECTION 4.2. G.S. 115C-270.20(a)(6) is repealed.

SECTION 4.3. G.S. 115C-270.30(b)(3) is repealed.

PART V. EMERGENCY RULE-MAKING AUTHORITY

SECTION 5. As soon as practicable, and no more than 10 calendar days from the effective date of this act, the State Board of Education shall adopt emergency rules for the implementation of this act in accordance with G.S. 150B-21.1A. This section does not require any rule making if not otherwise required by law.

PART VI. EFFECTIVE DATE

SECTION 6. This act is effective when it becomes law and, except as otherwise provided in this act, applies beginning with applications for teacher licensure submitted on or after the eighteenth day following the effective date of this act.

In the General Assembly read three times and ratified this the 25th day of June, 2019.

s/ Daniel J. Forest
President of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Roy Cooper
Governor

Approved 5:16 p.m. this 1st day of July, 2019