

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 963

Short Title: MA/PhD Cert. Exempt./No Tenure.

(Public)

Sponsors: Representatives Stam; and Pope.

Referred to: Public Employees.

March 30, 1989

A BILL TO BE ENTITLED

1 AN ACT TO PERMIT PERSONS WHO HOLD A MASTERS OR DOCTORATE
2 DEGREE TO TEACH IN THE NORTH CAROLINA PUBLIC SECONDARY
3 SCHOOLS WITHOUT HOLDING A TEACHING CERTIFICATE, AND TO
4 PROVIDE THAT SUCH PERSONS SHALL NOT BE ELIGIBLE FOR TENURE.
5

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 115C-295 reads as rewritten:

8 "**§ 115C-295. Minimum age and certificate prerequisites.**

9 (a) Except as otherwise provided in G.S. 115C-295, 115C-296, and 115C-303,
10 ~~All~~ all teachers employed in the public schools of the State or in schools receiving
11 public funds, shall be required either to hold or be qualified to hold a certificate in
12 compliance with the provision of the law or in accordance with the regulations of the
13 State Board of Education: Provided, that nothing herein shall prevent the employment
14 of temporary personnel under such rules as the State Board of Education may prescribe:
15 Provided further, that no person shall be employed to teach who is under 18 years of
16 age.

17 (b) Except as otherwise provided in G.S. 115C-295, 115C-296, and 115C-303, #
18 it shall be unlawful for any board of education to employ or keep in service any teacher
19 who neither holds nor is qualified to hold a certificate in compliance with the provision
20 of the law or in accordance with the regulations of the State Board of Education.

21 (c) Notwithstanding any other provision of law or regulation of the State Board
22 of Education to the contrary, a person who holds a masters or doctorate degree may be
23 employed to teach secondary grade classes in all public secondary schools in North
24 Carolina without being certified under State Board of Education certification

1 requirements, except that persons employed as teachers under this subsection may not
2 teach secondary grade classes in subject areas other than those subject areas in which he
3 holds the masters or doctorate degree.

4 (d) Persons employed as teachers under subsection (c) above shall be eligible to
5 receive the same employment benefits as certificated teachers and shall comply with
6 teacher in-service training requirements established by local boards of education;
7 provided, however, that persons employed under subsection (c) above are not eligible
8 for tenure under G.S. 115C-325.

9 (e) For purposes of this section, the terms 'secondary grade classes' and
10 'secondary schools' means grades seven through twelve.

11 (f) The State Board of Education shall establish criteria and procedures to
12 accomplish the employment of persons holding masters or doctorate degrees to teach in
13 the appropriate subject area and grade."

14 Sec. 2. G.S. 115C-296 reads as rewritten:

15 "**§ 115C-296. Board sets certification requirements.**

16 (a) The State Board of Education shall have entire control of certifying all
17 applicants for teaching positions in all public elementary and high schools of North
18 ~~Carolina;~~ Carolina who are required by law or by State Board regulations to be certified;
19 and it shall prescribe the rules and regulations for the renewal and extension of all
20 certificates and shall determine and fix the salary for each grade and type of certificate
21 which it authorizes: Provided, that the State Board of Education shall require each
22 applicant for an initial certificate or graduate certificate to demonstrate his academic and
23 professional preparation by achieving a prescribed minimum score at least equivalent to
24 that required by the Board on November 30, 1972, on a standard examination
25 appropriate and adequate for that purpose: Provided, further, that in the event the Board
26 shall specify the National Teachers Examination for this purpose, the required minimum
27 score shall not be lower than that which the Board required on November 30, 1972:
28 Provided, further, that the State Board of Education shall not decrease the certification
29 standards for physical education teachers or health education teachers below the
30 standards in effect on June 1, 1988.

31 (b) It is the policy of the State of North Carolina to maintain the highest quality
32 teacher education programs in order to enhance the competence of professional
33 personnel certified in North Carolina. To the end that teacher preparation programs are
34 upgraded to reflect a more rigorous course of study, the State Board of Education shall
35 submit to the General Assembly not later than November 1, 1984, a plan to promote this
36 policy. The State Board of Education, as lead agency in coordination and cooperation
37 with the University Board of Governors, the Board of Community Colleges and such
38 other public and private agencies as are necessary, shall continue to refine the several
39 certification requirements, standards for approval of institutions of teacher education,
40 standards for institution-based innovative and experimental programs, standards for
41 implementing consortium-based teacher education, and standards for improved
42 efficiencies in the administration of the approved programs.

43 (c) It is the policy of the State of North Carolina to encourage lateral entry into
44 the profession of teaching by skilled individuals from the private sector. To this end,

1 before the 1985-86 school year begins, the State Board of Education shall develop
2 criteria and procedures to accomplish the employment of such individuals as classroom
3 teachers. Regardless of credentials or competence, no one shall begin teaching above
4 the middle level of differentiation. Skilled individuals who choose to enter the
5 profession of teaching laterally may be granted a provisional teaching certificate for no
6 more than five years and shall be required to obtain certification before contracting for a
7 sixth year of service with any local administrative unit in this State. Certification
8 requirements of this subsection are not applicable to persons employed as teachers
9 under G.S. 115C-295(c)."

10 Sec. 3. G.S. 115C-303(a) reads as rewritten:

11 "(a) Except as provided in G.S. 115C-295(c), ~~No~~-no teacher shall be placed on the
12 payroll of a local school administrative unit unless he holds a certificate as required by
13 law, and unless a copy of the teacher's contract has been filed with the superintendent.
14 No teacher may be paid more than he is due under the local school salary schedule in
15 force in the local school administrative unit. Substitute and interim teachers shall be
16 paid under rules of the State Board of Education."

17 Sec. 4. This act shall become effective July 1, 1989.