

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 1114*

Short Title: Professional Teaching Standards Commission.

(Public)

Sponsors: Senators Lucas, Dannelly, Hartsell, Hobbs, Perdue, Plexico, Winner; Gulley and Kerr.

Referred to: Education/Higher Education.

May 14, 1996

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO CHANGE THE COMPOSITION OF THE PROFESSIONAL TEACHING STANDARDS COMMISSION SO THAT TEACHERS HAVE A MAJORITY, TO EXPAND THE AUTHORITY OF THE PROFESSIONAL TEACHING STANDARDS COMMISSION, AND TO ESTABLISH A PROFESSIONAL PRACTICES BOARD.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-295.1 reads as rewritten:

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

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

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

(c) The Beginning September 1, 1996, the Commission shall consist of the following 18 members:

(1) The State Superintendent of Public Instruction who shall serve as chair of the Commission.

- 1 (2) ~~A representative of the North Carolina Association of Educators~~
2 ~~appointed by the Governor.~~
- 3 (3) ~~A representative of the North Carolina Federation of Teachers~~
4 ~~appointed by the Governor.~~
- 5 (4) ~~Three teachers, at least one of whom teaches in elementary school and~~
6 ~~one of whom teaches special education, appointed by the Governor.~~
- 7 (5) ~~Two teachers, at least one of whom teaches in middle or junior high~~
8 ~~school, appointed by the President Pro Tempore of the Senate.~~
- 9 (6) ~~Two teachers, at least one of whom teaches in high school, appointed~~
10 ~~by the Speaker of the House of Representatives.~~
- 11 (7) ~~One school administrator, either a principal or a superintendent,~~
12 ~~appointed by the Governor.~~
- 13 (8) ~~Two representatives of teacher education institutions, one of whom~~
14 ~~shall be a representative of a University of North Carolina institution~~
15 ~~and one of whom shall be a representative of a private teacher~~
16 ~~education institution, appointed by the Governor.~~
- 17 (9) ~~One State Board member appointed by the chair of the State Board of~~
18 ~~Education.~~
- 19 (10) ~~Two at large members appointed by the Governor.~~
- 20 (11) ~~Two at large members, one of these members shall be appointed by~~
21 ~~the President Pro Tempore of the Senate, and one of these members~~
22 ~~shall be appointed by the Speaker of the House of Representatives.~~

23 15 members:

- 24 (1) The Governor shall appoint four teachers, one of whom is a
25 representative of the North Carolina Association of Educators, one of
26 whom is a representative of the North Carolina Federation of Teachers,
27 one of whom is a representative of the Professional Educators of North
28 Carolina, and one of whom teaches in an elementary school; one
29 principal or superintendent; and two representatives of schools of
30 education, one of which is in a constituent institution of The
31 University of North Carolina and one of which is in a private college
32 or university.
- 33 (2) The President Pro Tempore of the Senate shall appoint three teachers
34 who have different areas of expertise or who teach at different grade
35 levels; and one at-large member.
- 36 (3) The Speaker of the House of Representatives shall appoint three
37 teachers who have different areas of expertise or who teach at different
38 grade levels; and one at-large member.

39 In making appointments, the appointing authorities are encouraged to select
40 qualified citizens who are committed to improving the teaching profession and student
41 achievement and who represent the racial, geographic, and gender diversity of the State.
42 Before their appointment to this Commission, with the exception of the at-large
43 members, the members must have been actively engaged in the profession of teaching,
44 in the education of students in teacher education programs, or in the practice of public

1 school administration for at least three years, at least two of which occurred in this
2 State. The members shall serve for two-year terms. Initial terms shall begin September
3 1, 1994. Vacancies in the membership shall be filled by the original appointing
4 authority using the same criteria as provided in this subsection.

5 (d) The Commission shall elect a ~~vice-chair~~ chair, a vice-chair, and a secretary-
6 treasurer from among its membership. In the absence of the chair, the vice-chair shall
7 preside over the Commission's meetings. All members are voting members, and a
8 majority of the Commission constitutes a quorum. The Commission shall adopt rules to
9 govern its proceedings.

10 (e) Meetings of the Commission shall be held upon the call of the chair or the
11 vice-chair with the approval of the chair.

12 (f) Members of the Commission ~~who are State or public school employees shall~~
13 receive travel expenses as set forth in G.S. 138-6. All other Commission members shall
14 receive per diem and travel expenses as set forth in G.S. 138-5. shall receive
15 compensation for their services and reimbursement for expenses incurred in the
16 performance of their duties required by this Article, at the rate prescribed in G.S. 90B-5.

17 (g) The Commission may employ, subject to Chapter 126 of the General Statutes,
18 the necessary personnel for the performance of its functions, and fix compensation
19 within the limits of funds available to the Commission."

20 Sec. 2. Article 20 of Chapter 115C of the General Statutes is amended by
21 adding the following new sections to read:

22 "**§ 115C-295.2. Powers and duties of the Commission.**

23 (a) The North Carolina Teaching Standards Commission shall:

24 (1) Develop and recommend to the State Board of Education professional
25 standards or revisions to professional standards for North Carolina
26 teachers.

27 (2) Review the areas of teacher certification and recommend to the State
28 Board of Education those areas that should be consolidated,
29 redesigned, eliminated, or enhanced.

30 (3) Consider current methods to assess teachers and teaching candidates,
31 including the National Teacher Exam, the assessments of the National
32 Board for Professional Teaching Standards, and alternative methods of
33 assessment and recommend to the State Board of Education the
34 implementation of rigorous and appropriate assessments for initial and
35 continuing certification that are valid and reliable measures of
36 professional practice.

37 (4) Evaluate, develop, and recommend to the State Board a procedure for
38 the assessment and recommendation of candidates for initial and
39 continuing teacher certification.

40 In addition, the Commission may review all current programs related to initial and
41 continuing certification requirements and to certification renewal and may recommend
42 to the State Board of Education those programs that should be eliminated or changed.

1 For purposes of this subsection, the areas of teacher certification include approval of
2 teacher education programs, initial and continuing certification requirements, and
3 certification renewal.

4 (b) The Commission shall submit its recommendations under subsection (a) of
5 this section to the State Board. The State Board shall adopt or reject the
6 recommendations. The State Board shall not make any substantive changes to any
7 recommendation that it adopts. If the State Board rejects the recommendation, it shall
8 state with specificity its reasons for rejection; the Commission then may amend that
9 recommendation and resubmit it to the State Board. The Board shall adopt or reject the
10 amended recommendation. If the State Board fails to adopt the Commission's original
11 and amended recommendation concerning the implementation of assessments for
12 certification and the procedure for the assessment and recommendation of candidates
13 for teacher certification, the State Board may develop and adopt its own plan.

14 Notwithstanding G.S. 115C-284(c), G.S. 115C-296, and G.S. 115C-315(d), the
15 General Assembly urges the State Board to follow the Commission's recommendations
16 to the maximum extent they are consistent with the State Board's policies.

17 (c) The Commission shall submit an annual report by December 1 of each year to
18 the Joint Legislative Education Oversight Committee of its activities during the
19 preceding year, together with any recommendations and findings regarding
20 improvement of the teaching profession. The State Board shall submit a report by April
21 15, 1998, to the Joint Legislative Education Oversight Committee on the current status
22 of assessments for certification and any changes to the procedures for assessment and
23 recommendation of candidates for teacher certification.

24 **"§ 115C-295.3. Professional Practices Board.**

25 That State Board of Education shall establish a Professional Practices Board
26 composed of teachers, school administrators, and representatives of the general public.
27 The Professional Practices Board shall:

- 28 (1) Develop a code of ethics for the teaching profession and develop
29 procedures to investigate violations of the code.
- 30 (2) Investigate complaints concerning violations of the code of ethics.
- 31 (3) Make recommendations to the State Board of Education concerning
32 the revocation and suspension of teacher certificates as the result of an
33 ethics violation.

34 The Professional Practices Board shall recommend the code of ethics and the
35 investigation procedures that it develops to the State Board of Education for its
36 approval. The State Board of Education is the final authority in all decisions under this
37 section, except as provided in the procedures concerning the due process rights of any
38 person subject to an investigation under this section. The State Board of Education
39 shall adopt rules necessary to implement this section."

40 Sec. 3. This act is effective upon ratification.