



State of North Carolina
Department of Correction
Division of Prisons

Chapter: A
Section: .0500
Title: **Licensure Requirements for
Educational Personnel**
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POLICY & PROCEDURES

.0501 GENERAL

The purpose of this policy is to delineate the employment standards and licensure requirements for educational personnel employed by the Department of Correction and to establish a license renewal and monitoring process to ensure that a qualified staff is maintained at appropriate facilities. Rules and regulations set forth by the State Department of Public Instruction shall be followed in obtaining and maintaining licensure.

.0502 DEFINITIONS AND EMPLOYMENT STANDARDS

(a) Definitions of Educational Personnel:

- (1) Director of Educational Services - A person designated by the Director of Prisons to serve as Head of Educational Services on a system-wide basis who has a current "A" teaching certification, a current principal's certificate, and a master's degree in the educational field or related area.
- (2) Principal- One designated by the institution head to serve as the chief administrator of the education program and who holds an "A" teaching certification and a principal's license.
- (3) Assistant Principal - One designated by the Education Director to give assistance to the Director and who holds at least an "A" certificate and a principal's license.
- (4) Supervisor, School Administrator, or Director - A person designated by the Director of Educational Services to work on a system-wide basis in the area of leadership for improvement of educational programs and the quality of instruction and who holds a license appropriate to the area of assignment.
- (5) Teachers, Guidance Counselors, and Librarians - Persons who carry out the duties and responsibilities of the instructional process in the school under the supervision of the principal and who hold a license appropriate to area of assignment.

(b) The following employment standards shall be applied to all educational personnel providing direct services to institutions and field units. The educational personnel shall:

- (1) Hold a current, not expired, class "A" license issued by the State of North Carolina, Department of Public Instruction. In the event it becomes necessary to recommend

- employment of a teacher with a provisional license, a statement of justification from the superintendent shall be required; and
- (2) Teachers and related education personnel shall satisfactorily complete Basic Quality Training within 12 months of employment; and
 - (3) Participate in the license renewal program regulated by the Department of Public Instruction's Licensure Section; and
 - (4) Be licensed in the subject area of teaching assignment.

.0503 PROVISIONAL LICENSURE

Provisional and lateral entry licensure were established to provide for pressing employment needs in emerging areas or areas of shortages in which a supply of licensed individuals was not available. The Division of Prisons utilizes this type of licensure only in urgent circumstances.

- (a) Counselor - A person employed as a full-time counselor who has eighteen semester hours of graduate credit in guidance or counseling and who holds the regular class "A" or class "G" license in some other area shall be approved for full-time service, provided that he/she shall be enrolled in a graduate program leading toward the Counselor's license and shall, as a condition for continuing employment, earn not less than six semester hours of graduate credit each year toward qualifying for the license.
- (b) Supervisor - A person entering supervision for the first time who does not hold the Supervisor's license, but must hold a Teacher's license and have a minimum of five years of successful teaching experience in the area of licensure as a provisional supervisor, provided he/she enrolls in a graduate program leading toward the Supervisor's license and earns not less than six semester hours of credit per year toward qualifying for the Supervisor's license.
- (c) Teacher- An individual who holds a North Carolina license and is assigned half-time or more in an out-of-field area shall apply for and be issued a Provisional License in a non-core area (business, PE, health, etc.) of assignment. The individual must earn six semester hours of appropriate credit each year toward meeting full licensure requirements.
- (d) Teacher Licensure Endorsements - An individual who holds a North Carolina license and is assigned less than half-time in an out-of-field area may apply for and be issued a provisional endorsement in the area of assignment. The individual must earn six semester hours of appropriate credit each year toward meeting full endorsement requirements.
- (e) When an educator fails to meet the educational requirements for continuing a provisional license, the employee shall be removed from the position by necessary personnel action which may include dismissal.

- (f) Proof of such work toward the permanent licensure will be established by the yearly submission of transcripts to the Director of Educational Services of the Division of Prisons.

.0504 LICENSURE AND LICENSE RENEWAL

- (a) License renewal is required to assure that professional personnel periodically update their professional knowledge and technical competency.
- (b) Whereas the Department of Correction is committed to providing maximum quality and comparability in educational services provided for incarcerated offenders, all teachers shall be responsible for having and maintaining:
- (1) At least a current, not expired, class "A" license Continuing License I or II not Provisional or expired Vocational License, issued by the NC Department of Public Instruction;
 - (2) Teacher Licensure - Teachers and licensed student support personnel shall renew licenses every five years as required by the Department of Public Instruction's Licensure Section.; and
- (c) Principals must earn at least 5 renewal credits during each renewal cycle focused on the principal's role in teacher effectiveness, teacher evaluations, teacher support programs, teacher leadership, teacher empowerment, and teacher retention effective July 1, 2007.

.0505 FAILURE TO MAINTAIN CURRENT LICENSURE

- (a) Failure to maintain the licensure in the assigned teaching area shall be grounds for dismissal, demotion, or other action deemed necessary by the Division Director. A demotion or other personnel action shall result in an appropriate reduction in pay as approved by the Personnel Director.
- (b) If extenuating circumstances prevent the individual's compliance with licensure requirements, the facility superintendent may request an extension of time by documenting conditions warranting the consideration. Documentation should be forwarded to the Director of Educational Services who will in turn make the recommendation to the Department of Public Instruction if documentation so warrants.
- (c) The superintendent or his/her designee shall notify the Director of Educational Services immediately upon the resignation of educational personnel.

.0506 LICENSE RENEWAL PROCEDURE

- (a) Recording of renewal credit as granted by the Department of Public Instruction shall be the responsibility of the Director of Educational Services or his/her designee.

- (b) Accurate records of in-service training, workshop, renewal, and college credits shall be maintained by the Educational Services staff.
- (c) It shall be the responsibility of the individual teacher or educator to up-date records periodically by submitting renewal credit information to the Educational Services Section. When licenses approach expiration dates, the Director of Educational Services or his/her designee shall send to the NC Department of Public Instruction the information or credits required for renewal of expiring licenses.
- (d) License renewal requires ten semester hours or fifteen renewal credits in work related to areas of licensure and/or professional responsibilities. Individuals can earn renewal credit through the following activities:
 - (1) Course work from colleges, universities, and community colleges. One semester hour is the equivalent of one and one-half renewal credits. Transcripts must be submitted to the Division Educational Services Section as documentation.
 - (2) Teaching experience. One renewal credit is awarded for each year of full-time teaching completed during the five-year cycle.
 - (3) Local in-service courses or workshops. Credit can be earned with the approval of the Director of Educational Services. A course or workshop must carry a minimum of one renewal credit (ten hours of training over a minimum of two days). No more than six hours of training per day is acceptable for credit.
 - (4) Independent Study. A maximum of five credits from independent study can be used towards renewal credit during a five-year period. Independent study requires that the employee and the Director of Educational Services or designee plan in advance the skills to be learned and a method of evaluation. Determination of credit is based on the complexity of study. Credit must be certified by the Director of Educational Services or his/her designee.
 - (5) Department of Public Instruction activities. Credit is established by the Department of Public Instruction for activities conducted by the department and other education agencies.
- (e) All educational personnel will submit the Superintendent's copy of the license to the Director of Educational Services. Official copies of transcripts shall also be submitted after completion of college courses for credit.
- (f) Teachers and related staff may request educational or training leave within the guidelines of the Department of Correction's leave policy to enable them to maintain current and up-to-date certification.

.0507 IN-SERVICE TRAINING FOR TEACHERS

Through the Central Education Office, the Director of Educational Services or his/her designee shall administer programs for the professional improvement of teachers. This shall include dissemination of information on promising practices and trends in education; notification regarding conferences, institutes, and speeches; promoting participation in field-based instruction, and other workshops.

.0508 SALARY SCHEDULES OF LICENSED PERSONNEL

- (a) Teachers and licensed student support personnel employed with the Division of Prisons are assigned a salary according to the class level of their license, experience level as designated by their license, and area of assignment. These personnel are paid the monthly salary set by the NC Department of Public Instruction State Salary Schedule, plus any salary supplement set by the General Assembly.
- (b) If a teacher holds at least one area beyond the "A" level in teaching, student support services, or curriculum instructional specialists/supervision ("SG" license), then that teacher's salary is certified at his or her highest level of license from these categories.
- (c) Salary payments on the class "G" teacher license for teachers who hold master's degree in areas other than teacher education may be authorized by the Director of Educational Services if the degrees are directly relevant to the teacher's area of assignment. This authorization must be made annually.
- (d) A teacher who has earned an advanced or a doctoral license in teaching, student support services, or curriculum instructional specialist/supervision ("SG" license) shall be paid an additional monthly supplement as noted on the state salary schedule for "G" classroom teachers.
- (e) Teachers who hold a valid certificate from the National Board for Professional Teaching Standards (NBPTS) are to be paid based on this certification. For pay purposes, the effective date is July 1 of the school year that NBPTS certification is earned.
- (f) Salary determinations for supervisors, directors, and school administrators in positions requiring professional licensure shall be made by the Department of Correction. A supervisor/ director shall hold a school administrator "P" license or and "SG" (supervisor/director) license.
- (g) Principals shall be paid monthly according to the number of state-funded teachers, licensed student support services personnel, and assistant principals employed in their program and the total number of years of experience on their teaching license, plus one year of credit for every three years on their principal's license, and their education level. No rounding is used for determining additional years of credit for principal experience. A principal holding an advanced principal's license "AP," or a doctoral principal's license "DAP" shall be paid an additional monthly supplement as noted on the state salary schedule for principals.

- (h) Assistant principals are paid according to the total number of years experience on their teaching license. An assistant principal holding a principal's license shall be paid on the teacher's salary schedule at the master's level. An assistant principal holding an advanced principal's license ("AP") or a doctoral principal's license ("DAP") shall be paid an additional monthly supplement as noted on the state salary schedule.

.0509 PERSONNEL FILES

- (a) Any complaint, commendation, or suggestion for correction or improvement about the educator's professional conduct shall be placed in the educator's file only after five days' notice to the educator. The complaint, commendation, or suggestion shall be signed by the person who makes it. Any denial or explanation relating to such complaint, commendation, or suggestion that the educator desires to make shall be placed in the educator's personnel file. There is no time limit on the educator's right to present a denial or explanation for placement in the file.
- (b) The Director of Educational Services may elect not to place the item in the educator's personnel file. An educator may petition the Director of Educational Services not to place an item in the educator's personnel file.
- (c) The petition must be signed and dated and include the following information:
- (1) Identification of the specific information or document(s) requested to be removed.
 - (2) The basis for the request (i.e., that the information is invalid, irrelevant, or outdated), and
 - (3) The particulars in support of the request.
- (d) An educator may petition the Secretary, in his/her role as the Board of Education for the Department, to remove any information from the educator's personnel file that the educator deems invalid, irrelevant, or outdated. Such petition shall be as follows:
- (1) The educator shall file the petition, in writing, with the general counsel for the Secretary.
 - (2) The petition must be signed and dated. Requirements for inclusion are the same as above.
 - (3) The determination of the petition will be based on written argument only.
 - (4) The Secretary may order the removal of the information under review if he/she finds it is invalid, irrelevant, or outdated. The decision by the Secretary shall be final.

.0510 HIRING PROCEDURES

- (a) All educational personnel shall meet licensure requirements as previously stated under Section .0502, Employment Standards.
- (b) Recruitment of applicants for principal positions shall be consistent with the state policy on advertising position vacancies and employment procedures. The superintendent or his/her designee and the Director of Educational Services will make the recommendation pertaining to the employment of a principal.
- (c) Recruitment of applicants for a teaching position shall be the responsibility of the local facility with assistance from the Central Educational Services Office as required. Prospective applicants will be interviewed by the superintendent or his designee(s), the local education director, and a representative from central office education staff. The Director of Educational Services shall review the licensure credentials of the recommended applicants prior to a recommendation for hiring.

.0511 LICENSURE SUSPENSION AND REVOCATION

- (a) The Director of Educational Services is responsible for identifying individuals suspected of committing an offense that could lead to revocation of a license and preparing a written request with substantiating information regarding an individual suspected of committing an offense that could lead to revocation of licensure. This request shall be submitted to the Department of Public Instruction in a timely manner. The Superintendent of Public Instruction is responsible for initiating revocation proceedings upon the written request and submission of information by any party in a position to present evidence that is a basis for revocation.
- (b) The Director of Educational Services is responsible for reporting licensed employees who have been convicted of felonies to the NC Department of Public Instruction licensure section.

.0512 DISCIPLINARY ACTION AND DISMISSAL PROCEDURES

- (a) An educator may be disciplined by management for cause related to work performance and/or work rule or conduct violations. A record of such disciplinary action shall be prepared in writing setting forth the specific acts or omissions that are the reasons for the disciplinary action. A copy of the record shall be placed in the educator's personnel file in accordance with the procedures specified in the Personnel files of this policy.
- (b) Grounds for Disciplinary Action, Dismissal, and Demotion:
A career educator may be disciplined, dismissed, or demoted for one or more of the following causes:
 - (1) Inadequate performance

- (2) Immorality
 - (3) Insubordination
 - (4) Neglect of duty
 - (5) Physical or mental incapacity
 - (6) Habitual or excessive use of alcohol or non-medical use of a controlled substance as defined in Article 5 of Chapter 90 of the General Statutes.
 - (7) Conviction of a felony or a crime involving moral turpitude
 - (8) Advocating the overthrow of the government of the United States or the State of North Carolina by force, violence, or other unlawful means
 - (9) Failure to fulfill the duties and responsibilities imposed upon educators by the General Statutes of the State
 - (10) Failure to comply with such reasonable requirements as the Secretary, superintendent, or school/institution/program may prescribe
 - (11) Any cause which constitutes grounds for the revocation of a career educator's license
 - (12) A justifiable decrease in the number of positions due to reorganization, decreased enrollment, or decreased funding
 - (13) Failure to maintain his/her license in a current status
 - (14) Failure to repay money owed to the State in accordance with the provisions of Article 60, Chapter 143 of the General Statutes
 - (15) Providing false information or knowingly omitting a material fact on an application for employment or in response to a pre-employment inquiry
- (c) A probationary educator may be dismissed during the term of his/her contract for any of the above reasons. In such an instance, the probationary educator has the same right of review as is enjoyed by a career educator.
- (d) A career educator (and probationary educator during the term of their contract) may not be dismissed, demoted, or placed on disciplinary suspension without pay except upon the superintendent of school's recommendation.
- (e) A probationary teacher whose contract will not be renewed for the next school year shall be notified of this fact by June 15.

- (f) A career or probationary educator shall give the superintendent of schools at least 30 days notice of resignation. Failure to do so may result in the superintendent requesting that the State Board of Education revoke the educator's license for the remainder of the school year.
- (g) The procedures for dismissal, demotion, and disciplinary suspension shall be in compliance with General Statute 115C-325.

.0513 EMPLOYMENT OF CAREER TEACHERS

- (a) A teacher who has obtained career status in any North Carolina public school system need not serve another probationary period of more than two years. However, if after two consecutive years of employment, the board fails to grant career status, it shall not reemploy the teacher for a third consecutive year.
- (b) At least 30 days prior to any board action granting career status, the superintendent of schools shall submit a list of names of all teachers who are eligible to achieve career status to the Secretary of Correction.
- (c) When a teacher who has not previously achieved career status has been employed by the Department of Correction for four consecutive years, the Secretary or his/her designee shall decide whether to grant the teacher career status.
- (d) The Secretary of Correction or his/her designee shall give the teacher written notice of a decision regarding career status by June 15.
- (e) No person who is employed as a school administrator (including principal directors, and assistant principals) who did not acquire career status as a school administrator by June 30, 1997, shall have career status as an administrator.

Royal Bennett 10-12-07

Director of Prisons Date

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