

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 1997

SESSION LAW 1998-226  
SENATE BILL 1124

AN ACT TO ALLOW LOCAL BOARDS OF EDUCATION TO EMPLOY TEACHERS WHO ARE LEGALLY CERTIFICATED IN ANOTHER STATE EVEN THOUGH THEY MAY NOT BE CERTIFICATED IN NORTH CAROLINA, AND TO PROVIDE AN ALTERNATIVE METHOD FOR LOCAL BOARDS TO HIRE LATERAL ENTRY TEACHERS.

The General Assembly of North Carolina enacts:

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

**"§ 115C-296.1. Teacher shortages; certification.**

(a) Notwithstanding any other law, if a local board determines there is or anticipates there will be a shortage of qualified teachers with North Carolina certificates available to teach specified subjects or grade levels, then the local board may employ as teachers individuals who do not meet the State Board's requirements for initial or continuing State certification. The local board may employ an individual under this subsection for up to one year under a provisional certificate so long as:

- (1) Each individual has a postsecondary degree that is at least a bachelors degree.
- (2) Each individual has:
  - a. An out-of-State certificate authorizing the individual to teach the grade or subject to be taught and at least one year of classroom teaching experience the board considers relevant to the grade or subject to be taught;
  - b. At least one year of full-time classroom teaching experience as a professor, assistant professor, associate professor, instructor, or visiting lecturer at a constituent institution of The University of North Carolina, a North Carolina community college, or other institution of higher education as defined in G.S. 90-270.2(5) provided the board considers the experience relevant to the grade or subject to be taught; or
  - c. Three years of other experience provided the board determines that both the individual's experience and postsecondary education are relevant to the grade or subject to be taught.
- (3) Each individual is eligible for re-employment by his or her prior employer.

- (4) The board has developed a plan to determine the individual's competence as a teacher. The board's plan shall include a review of the performance of students taught by the individual.
- (5) During the period of employment under this subsection, the board provides a mentor teacher if the individual does not have a year of classroom teaching experience.
- (6) During the period of employment under this subsection, the individual receives an annual evaluation and multiple observations under G.S. 115C-333(a).

(b) A local board may re-employ as a teacher an individual the board initially employed under subdivision (a)(2)a of this section. This individual is then deemed to have satisfied the academic and professional preparation required to receive an initial or continuing State teacher certificate and is not required to take and pass a standard examination to demonstrate that preparation. An individual who receives an initial or continuing State certificate under this subsection is subject to the same requirements for continuing certification and certificate renewal as other teachers who hold initial or continuing State teacher certificates.

(c) A local board may re-employ as a teacher an individual the board initially employed under subdivisions (a)(2)b and (a)(2)c of this section. If the individual, within one year of the initial employment, takes and passes the standard examination adopted by the State Board under G.S. 115C-296(a) that is applicable to the grade or subject the individual is employed to teach, then upon re-employment the individual is deemed to have satisfied the academic and professional preparation required to receive an initial State teacher certificate. An individual who receives an initial certificate under this subsection is subject to the same requirements for continuing certification as other teachers who hold initial State teacher certificates. If the individual, within one year of the initial employment, does not take and pass the standard examination adopted by the State Board under G.S. 115C-296(a) that is applicable to the grade or subject the individual is employed to teach, then upon re-employment the individual shall continue to hold a provisional certificate and is subject to G.S. 115C-296(c).

(d) Local boards shall report semi-annually to the State Board the number of individuals employed as teachers under each sub-subdivision of subdivision (2) of subsection (a) of this section."

Section 2. This act is effective when it becomes law and expires September 1, 2002, except that it remains effective for any teacher employed under this act before September 1, 2002.

In the General Assembly read three times and ratified this the 28th day of October, 1998.

s/ Dennis A. Wicker  
President of the Senate

s/ Harold J. Brubaker  
Speaker of the House of Representatives

s/ James B. Hunt, Jr.  
Governor

Approved 4:30 p.m. this 5th day of November, 1998