

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

H

3

HOUSE BILL 284*
Committee Substitute Favorable 4/19/93
Committee Substitute #2 Favorable 5/3/93

Short Title: School Administration Standards Board.

(Public)

Sponsors:

Referred to:

February 25, 1993

A BILL TO BE ENTITLED

1 AN ACT TO IMPLEMENT A RECOMMENDATION OF THE EDUCATIONAL
2 LEADERSHIP TASK FORCE AND THE JOINT LEGISLATIVE EDUCATION
3 OVERSIGHT COMMITTEE TO ESTABLISH AN INDEPENDENT
4 STANDARDS BOARD FOR SCHOOL ADMINISTRATION AND TO ALLOW
5 THAT BOARD TO CHARGE EXAMINATION FEES.
6

7 Whereas, the Educational Leadership Task Force established by the 1991
8 General Assembly has completed its work and reported to the Joint Legislative
9 Education Oversight Committee of the General Assembly; and

10 Whereas, the Joint Legislative Education Oversight Committee approved the
11 recommendations of the Educational Leadership Task Force for submission to the
12 General Assembly; and

13 Whereas, the Educational Leadership Task Force recommended and the Joint
14 Legislative Education Oversight Committee found that the establishment of an
15 independent professional standards board for school administrators will improve the
16 practice of school administration; Now, therefore,
17 The General Assembly of North Carolina enacts:

18 Section 1. Chapter 115C of the General Statutes is amended by adding a new
19 Article to read:

20 **"ARTICLE 19A.**

21 **"STANDARDS BOARD FOR PUBLIC SCHOOL ADMINISTRATION.**

22 **"§ 115C-290.1. Purpose.**

1 As the profession of public school administration significantly affects the lives of the
2 people of this State, it is the purpose of this Article to protect the public by setting high
3 standards for the qualifications, training, and experience of those who seek to represent
4 themselves to the public as qualified public school administrators.

5 **"§ 115C-290.2. Definitions.**

6 The following definitions apply in this Article:

- 7 (1) Board. – The North Carolina Standards Board for Public School
8 Administration.
9 (2) Exam. – The North Carolina Public School Administrator Exam.
10 (3) School administrator. – Public school superintendents, deputy
11 superintendents, associate superintendents, assistant superintendents,
12 principals, and assistant principals.

13 **"§ 115C-290.3. False representation of qualifications prohibited.**

14 It is unlawful for a person whom the Board has not qualified for certification as a
15 public school administrator to represent himself or herself as having been qualified by
16 the Board or to hold himself or herself out to the public by any title or description
17 denoting that he or she has been qualified by the Board.

18 **"§ 115C-290.4. North Carolina Standards Board for Public School**
19 **Administration; appointments; terms; composition.**

20 (a) The North Carolina Standards Board for Public School Administration is
21 created. The Board shall be located for administrative purposes in the Office of the
22 Governor. The Board shall exercise its powers independently of that Office.

23 (b) The Board shall consist of seven members appointed by the Governor as
24 follows:

- 25 (1) Two local superintendents employed by a local school administrative
26 unit.
27 (2) Three principals employed by a local school administrative unit.
28 (3) One dean of a school of education or a designee.
29 (4) One representative of the public at large.

30 Composition of the Board as to the race and sex of its members shall reflect the
31 composition of the population of the State. Members of the Board shall be residents of
32 the State and shall each reside in a different congressional district.

33 With the exception of the member representing the public at large, each member
34 must be qualified under this Article, and must be actively engaged in the practice of
35 public school administration or in the education and training of students in public school
36 administration. Before their appointment to the Board, these professional Board
37 members must have been actively engaged in the practice of public school
38 administration or in the education and training of students in public school
39 administration for at least three years, at least two of which occurred primarily in this
40 State.

41 (c) The Governor may only remove a member of the Board for neglect of duty,
42 malfeasance, or conviction of a felony or other crime of moral turpitude.

43 (d) Effective July 1, 1993, the Governor shall appoint one superintendent, two
44 principals, and the dean of a school of education for terms of three years, and one

1 superintendent, one principal, and the representative of the public for terms of two
2 years. Thereafter the terms shall be for three years. Each term of service on the Board
3 shall expire on the 30th day of June of the year in which the term expires. No member
4 shall serve more than two consecutive three-year terms. As the term of a member
5 expires, the Governor shall make the appointment for a full term, or, if a vacancy occurs
6 for any other reason, for the remainder of the unexpired term.

7 (e) Members of the Board shall receive compensation for their services and
8 reimbursement for expenses incurred in the performance of duties required by this
9 Article, at the rates prescribed in G.S. 93B-5.

10 (f) The Board shall elect from its membership a chairperson, a vice-chairperson,
11 and a secretary-treasurer, and adopt rules to govern its proceedings. All members are
12 voting members, and a majority of the membership constitutes a quorum.

13 (g) The Board may employ, subject to Chapter 126 of the General Statutes, the
14 necessary personnel for the performance of its functions, and fix their compensation
15 within the limits of funds available to the Board.

16 **"§ 115C-290.5. Powers and duties of the Board; development of the North**
17 **Carolina Public School Administrator Exam.**

18 (a) The Board shall administer this Article. In fulfilling this duty, the Board
19 shall:

- 20 (1) Develop and implement a North Carolina Public School Administrator
21 Exam, based on the professional standards established by the Board.
- 22 (2) Establish and collect an application fee not to exceed fifty dollars
23 (\$50.00), and an exam fee not to exceed one hundred fifty dollars
24 (\$150.00).
- 25 (3) Review the educational achievements of an applicant to take the exam
26 to determine whether the achievements meet the requirements set by
27 G.S. 115C-290.7.
- 28 (4) Notify the State Board of Education of the names and addresses of the
29 persons who passed the exam and are thereby qualified to be certified
30 as public school administrators by the State Board of Education.
- 31 (5) Maintain accounts and records in accordance with the Executive
32 Budget Act, Article 1 of Chapter 143 of the General Statutes.
- 33 (6) Adopt rules in accordance with Chapter 150B of the General Statutes
34 to implement this Article.
- 35 (7) Submit an annual report by March 1 of each year to the Joint
36 Legislative Education Oversight Committee of its activities during the
37 preceding year, together with any recommendations and findings
38 regarding improvement of the profession of public school
39 administration.

40 (b) The Board may adopt a seal and affix it to any documents issued by the
41 Board.

42 **"§ 115C-290.6. Application for qualification by the Board.**

43 An individual who seeks to be qualified by the Board as a public school
44 administrator, thereby becoming eligible for certification by the State Board of

1 Education, shall file a written application with the Board. The application must be on a
2 form provided by the Board, must be accompanied by the required application and exam
3 fees established by the Board, and must include any information required by the Board.

4 **"§ 115C-290.7. Qualification by the Board.**

5 (a) The Board shall qualify an individual who submits a complete application to
6 the Board and satisfies all of the following requirements:

7 (1) Pays the application fee established by the Board.

8 (2) Pays the exam fee established by the Board.

9 (3) Has a bachelors degree from an accredited college or university and
10 has a masters degree from a public school administration program that
11 meets the public school administrator program approval standards set
12 by the State Board of Education.

13 (4) Passes the exam.

14 (b) The State Board of Education may not certify an individual as a public school
15 administrator unless it has received notice from the Board of the individual's
16 qualification under this Article.

17 **"§ 115C-290.8. Exemptions from qualification requirements.**

18 The qualification requirements of this Article do not apply to a person who, at any
19 time during the five years preceding January 1, 1997, was engaged in public school
20 administration at either a public school in North Carolina or a school in North Carolina
21 operated by the United States government. A person who is exempt from the
22 qualification requirements of this Article but applies for qualification under this Article
23 is subject to it.

24 **"§ 115C-290.9. Grounds for refusal to qualify a person.**

25 The Board may, in accordance with Chapter 150B of the General Statutes, refuse to
26 qualify a person for certification by the State Board of Education for any of the
27 following reasons:

28 (1) Submitting a false application for qualification or otherwise attempting
29 to obtain qualification by fraud or misrepresentation.

30 (2) Failure to meet the requirements set in G.S. 115C-290.7.

31 (3) Violating a provision of this Article or a rule adopted by the Board.

32 **"§ 115C-290.10. Violation a misdemeanor.**

33 A person who violates this Article is guilty of a misdemeanor and is punishable by
34 imprisonment for up to six months, a fine of up to two hundred dollars (\$200.00), or
35 both."

36 Sec. 2. G.S. 115C-284(c) reads as rewritten:

37 "(c) The State Board of Education shall have entire control of certifying all
38 applicants for supervisory and professional positions in all public elementary and high
39 schools of North Carolina; and it shall prescribe the rules and regulations for the
40 renewal and extension of all certificates, and shall determine and fix the salary for each
41 grade and type of certificate which it authorizes. ~~Provided, that the~~ The State Board of
42 Education shall require each applicant for an initial certificate or graduate certificate
43 certificate, other than an applicant who is qualified under Article 19A of this Chapter, to
44 demonstrate his academic and professional preparation by achieving a prescribed

1 minimum score at least equivalent to that required by the Board on November 30, 1972,
2 on a standard examination appropriate and adequate for that ~~purpose: Provided, further,~~
3 ~~that in the event purpose.~~ If the Board shall specify the National Teachers Examination
4 for this purpose, the required minimum score shall not be lower than that which the
5 Board required on November 30, 1972: Provided, further, that the 1972. The Board may
6 not require an applicant who is qualified under Article 19A of this Chapter to take an
7 additional exam to demonstrate academic competence. The Board shall not issue
8 provisional certificates for principals and assistant principals."

9 Sec. 3. The North Carolina Standards Board for Public School
10 Administration, established in Section 1 of this act, shall submit its first report to the
11 Joint Legislative Education Oversight Committee no later than March 1, 1994.

12 Sec. 4. By August 1, 1994, the State Board of Education shall report to the
13 Joint Legislative Education Oversight Committee on the issue of the qualification and
14 certification of public school administrators. The report shall include recommendations
15 on whether a system of licensing public school administrators rather than qualifying and
16 certifying public school administrators should be implemented. The report shall also
17 include any changes that need to be made to the statutes to clarify the relationship
18 between qualification and certification of public school administrators.

19 Sec. 5. Notwithstanding Section 6 of this act, this act shall not become
20 effective unless sufficient funds are appropriated for this purpose. Nothing in this act
21 shall require the General Assembly to appropriate any funds to implement it.

22 Sec. 6. G.S. 115C-290.3 and G.S. 115C-290.6 through G.S. 115C-290.10, as
23 established in Section 1 of this act, become effective January 1, 1997. The remaining
24 provisions of Article 19A of Chapter 115C, as established in Section 1 of this act, and
25 the remaining sections of this act are effective upon ratification. Notwithstanding G.S.
26 115C-290.4, members appointed to the North Carolina Standards Board for Public
27 School Administration before January 1, 1997, are not required to be qualified under
28 Article 19A of Chapter 115C of the General Statutes, as enacted by this act.