



# Proposed Rule Changes

16 NCAC 06C .0600

Standards of Professional Conduct





# Background

- S.L. 2023-128 gives the State Board of Education (“SBE”) authority to adopt temporary rules to implement the requirements of the legislation, to address disciplinary action against professional educator licenses, and to modify the Standards of Professional Conduct.
- Recommended changes include amendments to 2 existing rules, repeal of 5 existing rules, and adoption of 6 new rules.

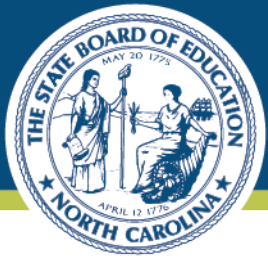


# Timeline

<b>SBE Proposed Temporary Rules</b>	January 4, 2024
<b>Public Comment Period</b>	January 12 – February 9, 2024
<b>Public Hearing</b>	February 2, 2024
<b>SBE Adopts Temporary Rules</b>	March 7, 2024
<b>Temporary Rules Take Effect</b>	April 8, 2024 (or earlier)



# **CHANGES FROM PROPOSED RULES**



# 16 NCAC 06C .0601 (Definitions)

- Now exclusively a definitions section (introductory language merged into Rule .0602).
- Adds definition of “child” to mean a person under the age of 16.
- Incorporates statutory definition of “professional educator.”
- Expands definition of “student” to include Pre-K



# 16 NCAC 06C .0602 (Standards of Professional Conduct)

- Consolidates language from Rule .0601 into introductory paragraph.
- Prohibits intentional exposure of students to profane, vulgar, or sexually explicit material except as part of age-appropriate classroom instruction. *Subparagraph (3)(B)*
- Clarifies that solicitation or encouragement of a romantic or sexual relationship is prohibited in any form (written, verbal, or physical). *Subparagraph (3)(C)*



# 16 NCAC 06C .0604 (Denying or Sanctioning a License)

- Clarifies that the revocation or suspension of an educator license or other occupational license in NC or another state can be grounds for disciplinary action against a license.



# 16 NCAC 06C .0606 (Voluntary Surrender of a License)

- Removes ability of respondent to challenge factual findings in an order accepting a voluntary surrender, since the respondent is essentially waiving their right to challenge the revocation decision.



## 16 NCAC 06C .0608

### (Reporting Requirements for PSU Administrators)

- Interprets and clarifies scope of reporting requirements under G.S. 115C-326.20 to include:
  - Convictions *and* charges for crimes listed in G.S. 115C-270.35(b) (auto revocation).
  - Conduct involving physical or sexual abuse of a child or student.
  - Defines “determination of disciplinary action” to include suspension with or without pay.



## 16 NCAC 06C .0608

### (Reporting Requirements for PSU Administrators)

- Limits reporting requirements for other types of misconduct that could justify disciplinary action against a license to cases in which the licensee is demoted, dismissed, or resigns.
- Clarifies that a single report on behalf of the PSU will satisfy the reporting requirements for all those subject to Rule .0608 and G.S. 115C-326.20.



# Questions?

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