

Revising the Teacher Licensure System - Statutory, Rule, and Policy Changes Needed to Establish a Pilot Program

Allison Schafer

General Counsel for the North Carolina State Board of Education
and the North Carolina Department of Public Instruction

January 4-5, 2023

Current Status of Licensure Statutes

The background features abstract, overlapping geometric shapes in various shades of green, ranging from light lime to dark forest green. These shapes are primarily located on the right side of the slide, creating a modern, layered effect. The text is positioned on the left side of the slide, set against a plain white background.

Current State Licensure Statutes

- ▶ Article 17E of Chapter 115C of the North Carolina General Statutes (G.S. 115C-270.1 et seq.) sets out the professional educator licensure requirements for public school K-12 administrators and teachers.

Current State Licensure Statutes

- ▶ G.S. 115C 270.5 (a) provides that the State Board of Education shall have “entire control of licensing applicants for professional educator positions in all public schools of North Carolina,” subject to the legislative requirements of Article 17E.
- ▶ That statute also specially requires that the State Board adopt rules for the issuance, renewal, and extension of all licenses and shall determine and fix the salary for each grade and type of license which it authorizes.

Current State Licensure Statutes

- ▶ Further, G.S. 115C-270.5 (b) requires the State Board to receive recommendations from PEPSC (the Professional Educator Preparation and Standards Commission) and seek input from the UNC Board of Governors, the State Board of Community Colleges, educator prep programs and other public and private agencies as necessary.

Current State Licensure Statutes

- ▶ State Statute requires the State Board of Education to establish by rule an application fee schedule for license seekers. G.S. 115C-270.10.

Current State Licensure Statutes - Exam Requirement

- ▶ G.S. 115C-270.15 (a) mandates that the State Board of Education require all applicants for an initial professional license (“IPL”), or a residency license (“RL”), achieve a prescribed minimum score on a standard exam.
- ▶ G.S. 115C-270.15(e) prohibits the State Board from converting an IPL or RL to a permanent license unless the applicant has fulfilled the examination requirements.

Current State Licensure Statutes - License Classes

- ▶ G.S. 115C-270.20 (a) requires the State Board to adopt rules for the issuance of the following classes of teacher licenses:
 - ▶ Continuing professional license (“CPL”)
 - ▶ Emergency license (“EL”)
 - ▶ Initial professional license (“IPL”)
 - ▶ Limited license, and
 - ▶ Residency license.

The statute also provides specific criteria that must be met for each of these license areas and time limits/renewal requirements for each license.

Current State Licensure Statutes - Bachelor's Degree

- ▶ G.S. 115C-270.20 (c) acknowledges that generally an individual must hold a bachelor's degree with coursework relevant to the requested licensure area, but for individuals seeking licensure in a **career or technical education area**, the State Board of Education may establish alternate criteria related to that area to establish competency in lieu of a bachelor's degree.
- ▶ (Note: this exception to the statutory bachelor's degree requirement may currently only be in the **career or technical education areas**.)



State Board of Education Licensure Rules and Policies

Current Administrative Rules Regarding Teacher Licensure

- ▶ Current State Board of Education Administrative Rules are found in subchapter 6C of the North Carolina Administrative Code. The lengthy and very detailed provisions of the rules found in this Chapter of the Code are tied to and implement the current licensure statutes.

Current State Board of Education Policies

- ▶ The State Board of Education also has in place a number of policies regarding licensure. They are found in the State Board policy manual under LICN-001 through LICN-022.
- ▶ As with the Administrative Rules, they are closely tied to the current statutory structure for teacher licensure.

Consideration of a Revised Licensure System

Current Status of PEPSC and State Board Actions

- ▶ In light of ongoing concerns that the current teacher licensure system does not adequately address the needs of professional educators or provide sufficient teachers to staff classrooms across the State, different groups have been brainstorming and proposing different solutions. Recommendations made to the State Board include suggestions that the State Board look at:
 - ▶ creating additional pathways for entry into the teaching profession,
 - ▶ increasing support to assist teachers in preparing for the classroom,
 - ▶ revise the teacher licensure system to provide teachers an opportunity for professional growth and higher salaries.

Request Made/Charge to PEPSC

- ▶ At its February 4, 2021, the State Board Chairman requested that the Professional Educator Preparation and Standards Commission (PEPCS) study and make recommendations to the State Board of Education on how best to implement a new licensure model.

Current Status of PEPSC and State Board Action

- ▶ At the State Board of Education November and December 2022 meetings, PEPSC presented a blueprint or framework for action, which included 10 action items, as follows:
 - ▶ 1. Build the professional framework around articulated standards of practice with clear expectations for progression;
 - ▶ 2. Build analysis and assessment of practice with multiple evidence points;
 - ▶ 3. Create advanced and lead teacher roles;
 - ▶ 4. Build licensure around evidence of attainment of knowledge base;

Current Status of PEPSC and State Board Action

- ▶ 5. Create and adopt valid and reliable tools to analyze and assess effectiveness;
- ▶ 6. Build on existing assets;
- ▶ 7. Develop new professional learning tools and structures and flexible ways of providing evidence of success;
- ▶ 8. Articulate clear distinctions across entry points and profession focused on progression;
- ▶ 9. Build and fund a compensation model that attracts and retains teachers; and
- ▶ 10. Secure funding to support the framework.

Current Status of PEPSC and State Board Actions

- ▶ At its December 1, 2022, meeting, the State Board passed the following four-part motion:
 - ▶ 1. The State Board received PEPSC's Blueprint for Action;
 - ▶ 2. The State Superintendent was asked to identify, by the SBE's February 2023 meeting, how items #1-8 of the Blueprint aligns with the SBE's Strategic Plan and the Superintendent's Operation Polaris
 - ▶ 3. The SBE directed the General Counsel to identify and report to the SBE at its January 2023 meeting, statutes, rules and policies that would need to be changed in order to implement items 1-8 of the Blueprint.

Current Status of PEPSC and State Board Actions

- ▶ 4. The State Board requested that PEPSC make recommendations to the SBE by its March 2023 meeting, regarding SBE rules and policies necessary to implement field testing or piloting for the following:
 - ▶ Advance Teaching and Leader Roles;
 - ▶ Student Impact Measures;
 - ▶ New Pathway Entry Points, such as Apprenticeships; and
 - ▶ New Professional Learning Tools and Structures for Beginning and Experienced Teachers

Items number 3,5, 7 and 8 of the Blueprint.)

Current Status of PEPSC and State Board Actions

- ▶ Based upon its requests to PEPSC, the State Board is looking first to develop field testing and piloting of the items in the Blueprint. Items identified as needing to be changed or added to statutes, rules or policies will be based upon the premise that piloting and/or field testing of changes would need to be done.



Legislative Authority Needed to Address Liensure Changes

Legislative Changes Needed to Implement a Pilot Program

- ▶ **The implementation of a pilot program that deviates from the current statutory and regulatory structure will require specific authorization from the General Assembly that sets forth the purpose and the parameters of the pilot program.**
- ▶ **The current statutory structure regarding teacher licensure would need to remain in place for those districts not participating in the pilot program.**

Legislative Changes Needed to Implement a Pilot Program

- ▶ Additionally, legislation would need to allow the pilot districts to be **exempt from specific current statutory requirements**. In this case, one needed exemption would be to waive, for pilot districts, the requirement that districts could only employ teachers licensed pursuant to the current provisions of Article 17E of Chapter 115C of the General Statutes.

Legislative Changes Needed to Implement a Pilot Program

- ▶ As another example, the discussions with regard to the Pathways proposal has included a conversation about whether the requirement for teachers to pass **licensure exam** should be replaced or augmented with other ways of proving competency, such as a portfolio. There is currently a testing requirement for licensure. That would need to be waived if a test was no longer required.

Legislative Changes Needed to Implement a Pilot Program

- ▶ The authorizing legislation will also need to include **new rights or duties for the State Board and pilot districts that are not otherwise currently permitted in law.** For example, as part of the pilot program, the legislature will need to authorize the State Board to **create of new categories of licensure** and include a process for how that may be done.

Legislative Changes Needed to Implement a Pilot Program

- ▶ As an example, that process might provide that the State Board, in consultation with or in partnership with PEPSC and the pilot districts would develop and adopt, as part of the pilot, structures for new types of licensure, such as an apprentice license.

Legislative Changes Needed to Implement a Pilot Program

- ▶ These new licensure guidelines developed as part of the pilot program will also need to be **exempt from the formal rule-making process** to allow the flexibility needed to test them and make necessary changes without needing further statutory authorization.
- ▶ Further, pilot legislation will need to **exempt the State Board and pilot districts from following the current Administrative Rules**, as they are tied to the current statutory licensure process.

Legislative Changes Needed to Implement a Pilot Program

- ▶ To the extent the proposed pilot calls for a different **pay schedule** for different categories of licensed teachers, the General Assembly will need to exempt the teachers in the pilot districts from the current universal pay schedules that are currently in place.

Legislative Changes Needed to Implement a Pilot Program

- ▶ The legislature will also need to authorize **the allocation of sufficient additional funds** to the extent needed to pay the different salaries and other additional costs under the pilot program.

Legislative Changes Needed to Implement a Pilot Program

- ▶ Pilot program legislation should also include a structure for **reporting** back to the State Board and the General Assembly about the success of the program in attracting and retaining teachers and the impact on student achievement.

Legislative Changes Needed to Implement a Pilot Program

- ▶ Finally, there will need to be a multi-year **schedule to accommodate implementation and assessment** of the pilot program

The background features abstract, overlapping geometric shapes in various shades of green, primarily on the left and right sides, framing a central white area. The shapes include triangles and polygons, some with thin white outlines, creating a modern, layered effect.

State Board Action on Policies

State Board Policies

- ▶ Once there is pilot legislation, the State Board will need to review its current policies regarding licensure and determine the extent to which they need to be waived for the pilot districts.
- ▶ What changes need to be made will depend upon what the new legislation provides.