

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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SENATE BILL 1226

Short Title: Teacher Test Flexibility. (Public)

Sponsors: Senators Swindell, Dannelly, Garwood, Hartsell, Lucas, Malone, Stevens; Moore, and Tillman.

Referred to: Education/Higher Education.

May 20, 2004

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO AUTHORIZE THE STATE BOARD OF EDUCATION TO DETERMINE WHICH APPLICANTS FOR TEACHING POSITIONS ARE REQUIRED TO DEMONSTRATE PREPARATION ON A STANDARD EXAMINATION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-296(a) reads as rewritten:

"(a) The State Board of Education shall have entire control of certifying all applicants for teaching positions in all public elementary and high schools of North Carolina; and it shall prescribe the rules and regulations for the renewal and extension of all certificates and shall determine and fix the salary for each grade and type of certificate ~~which it authorizes. Provided, that the~~ that it authorizes. The State Board of Education ~~shall~~ may require each applicant for an initial bachelors degree certificate or graduate degree certificate to demonstrate the applicant's academic and professional preparation by achieving a prescribed minimum score on a standard examination appropriate and adequate for that purpose. ~~The~~ If the examination is required, the State Board of Education shall permit an applicant to fulfill this requirement before or during the applicant's second year of teaching provided the applicant took the examination at least once during the first year of teaching. The State Board of Education shall make ~~the~~ any required standard initial certification exam sufficiently rigorous and raise the prescribed minimum score as necessary to ensure that each applicant has adequate academic and professional preparation to teach."

SECTION 2. G.S. 115C-296(a1) reads as rewritten:

"(a1) The State Board shall adopt policies that establish the minimum scores for ~~the~~ any required standard examinations and other measures necessary to assess the qualifications of professional personnel as required under subsection (a) of this section. For purposes of this subsection, the State Board shall not be subject to Article 2A of

1 Chapter 150B of the General Statutes. At least 30 days prior to changing any policy
2 adopted under this subsection, the State Board shall provide written notice to all North
3 Carolina schools of education and to all local boards of education. The written notice
4 shall include the proposed revised policy."

5 **SECTION 3.** G.S. 115C-296.1(c) reads as rewritten:

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

20 **SECTION 4.** This act is effective when it becomes law. Section 3 of this act
21 expires September 1, 2006.