



*State of North Carolina
Department of Public Safety
Prisons*

Chapter: P
Section: .0100
Title: **Licensure Requirements for
Educational Personnel**
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POLICY AND PROCEDURES

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| References | 5 th Edition Standards for Adult Correctional Institutions |
| Related ACA Standards | 5-ACI-7B-07, 5-ACI-7B-08 |

.0101 GENERAL

The purpose of this policy is to delineate the employment standards and licensure requirements for educational personnel employed by the Department of Public Safety and to establish a license renewal and monitoring process to ensure that a qualified staff is maintained at appropriate facilities. *Rules and regulations set forth by the State Department of Public Instruction shall be followed in obtaining and maintaining licensure (5-ACI-7B-08).*

.0102 DEFINITIONS AND EMPLOYMENT STANDARDS

(a) Definitions of Educational Personnel:

- (1) Director of Educational Services – A person designated to serve as Head of Educational Services on a system-wide basis who has at least a current "A" teaching certification, a current principal's certificate, and a master's degree in the educational field or related area.
- (2) Principal – One designated by the institution head **with consultation from the Director of Educational Services** to serve as the chief administrator of the education program and who holds an "A" teaching certification and a principal's license.
- (3) Assistant Principal – One designated by the **institution head with consultation from the Director of Educational Services** to give assistance to the Principal and who holds at least an "A" certificate and a principal's license.
- (4) Supervisor, **Coordinator**, School Administrator, or Director - A person designated by the Director of Educational Services to work on a system-wide basis in the area of leadership for improvement of educational programs and the quality of instruction and who holds a license appropriate to the area of assignment.
- (5) Teachers, Guidance Counselors, and Librarians – Persons who carry out the duties and responsibilities of the instructional process in the school under the supervision of the principal and who holds a license appropriate to area of assignment.

- (b) The following employment standards shall be applied to all educational personnel providing direct services to institutions and field units. The educational personnel shall:
- (1) *Hold a current, not expired, class "A" license issued by the State of North Carolina, Department of Public Instruction (5-ACI-7B-07).* In the event it becomes necessary to recommend employment of a teacher with a provisional license, a statement of justification from the **Director of Educational Services** or Principal shall be required; and
 - (2) Teachers and related education personnel shall satisfactorily complete **Annual In-Service** Training within 12 months of employment; and
 - (3) Participate in the license renewal program regulated by the Department of Public Instruction's Licensure Section; and
 - (4) Be licensed in the subject area of teaching assignment.

.0103 PROVISIONAL LICENSURE

Provisional and Residential licensure were established to provide for pressing employment needs in emerging areas or areas of shortages in which a supply of licensed individuals was not available. Prisons utilizes this type of licensure only in urgent circumstances. At the request of the Principal, an individual, including those who hold the Permit to Teach or Emergency License, may qualify for a one-year Residency License in a teaching area, with the option to renew twice, within no more than a three-year period. Once an individual holds a Residency License, the individual may not hold a Permit to Teach or Emergency License. All requirements to convert a Residency License to either an Initial Professional License (IPL) or Continuing Professional License (CPL) must be completed before the expiration of the second renewal of the Residency License. Individuals must meet all of the following requirements as stated in GS 115C-2: 1) Holds, at a minimum, a baccalaureate degree, and 2) Has either completed 24 hours of coursework in the requested licensure area or passed the NC State Board of Education required content area examination(s) for the required licensure area, and 3) Is enrolled in a recognized Educator Preparation Program (EPP) with a minimum GPA of 2.7 (see exceptions for GPA requirement in **TCED-009**), and; 4) Meets all other requirements established by the **NC State Board of Education**, including completing preservice requirements prior to teaching.

- (a) Counselor – A person employed as a full-time counselor who has eighteen semester hours of graduate credit in guidance or counseling and who holds the regular class "A" or class "G" license in some other area **shall be** approved for full-time service, provided that **they** are enrolled in a graduate program leading toward the Counselor's license and shall, as a condition for continuing employment, earn not less than six semester hours of graduate credit each year toward qualifying for the license.
- (b) Teacher – An individual who holds a North Carolina **teaching** license and is assigned half-time or more in an out-of-field area shall apply for and be issued a Provisional License in a

non-core area (business, PE, health, etc.) of assignment. The individual must earn six semester hours of appropriate credit each year toward meeting full licensure requirements.

- (c) When an educator fails to meet the educational requirements for continuing a provisional **teaching** license, the employee shall be removed from the position by necessary personnel action which may include dismissal.
- (d) Proof of such work toward the permanent licensure will be established by the yearly submission of transcripts to the Director of Educational Services of Prisons.

.0104 LICENSURE AND LICENSE RENEWAL

- (a) License renewal is required to assure that professional personnel periodically update their professional knowledge and technical competency.
- (b) Whereas the Department of Public Safety is committed to providing maximum quality and comparability in educational services provided for incarcerated offenders, all teachers shall be responsible for having and maintaining:
 - (1) At least a current, not expired, class "A" license, issued by the NC Department of Public Instruction;
 - (2) Teacher Licensure – Teachers shall renew licenses every five years as required by the NC Department of Public Instruction's Licensure Section.; and
 - (3) Principals must earn at least 8 **continuing education units (CEUs)** during each renewal cycle: **3.0 CEUs** focused on the **standards for school executives in Instructional and Managerial Leadership**; **2.0 CEUs** addressing the **Digital Learning Competencies** and **3.0 CEUs** in other education or technology activities.

.0105 FAILURE TO MAINTAIN CURRENT LICENSURE

- (a) Failure to maintain the licensure in the assigned teaching area shall be grounds for dismissal, demotion, or other action deemed necessary by the **Director of Educational Services**. A demotion or other personnel action shall result in an appropriate reduction in pay as approved by the **Director of Human Resources of NCDPS**.
- (b) If extenuating circumstances prevent the individual's compliance with licensure requirements, the facility principal may request an extension of time by documenting conditions warranting the consideration. Documentation should be forwarded to the Director of Educational Services who will in turn make the recommendation to the Department of Public Instruction if documentation so warrants.
- (c) The **principal or their** designee shall notify the Director of Educational Services immediately upon the resignation of educational personnel.

.0106 LICENSE RENEWAL PROCEDURE

- (a) Recording of renewal credit as granted by the NC Department of Public Instruction shall be the responsibility of the Director of Educational Services or their designee.
- (b) Accurate records of in-service training, workshop, renewal, and college credits shall be maintained by the Educational Services staff.
- (c) It shall be the responsibility of the individual teacher or educator to up-date records periodically by submitting renewal credit information to the Educational Services Section. When licenses approach expiration dates, the Director of Educational Services or their designee shall ensure that information/credits required for renewal of expiring licenses are submitted to the NC Department of Public Instruction.
- (d) License renewal requires ten semester hours or 8 renewal credits in work related to areas of licensure and/or professional responsibilities. Individuals can earn renewal credit through the following activities:
 - (1) Course work from colleges, universities, and community colleges. One semester hour is the equivalent of one and one-half renewal credits. Transcripts must be submitted to the Division Educational Services Section, NCDPS as documentation.
 - (2) Local in-service courses or workshops. Credit can be earned with the approval of the Director of Educational Services. A course or workshop must carry a minimum of one renewal credit (ten hours of training over a minimum of two days). No more than six hours of training per day is acceptable for credit.
 - (3) Independent Study. A maximum of five credits from independent study can be used towards renewal credit during a five-year period. Independent study requires that the employee and the Director of Educational Services or designee plan in advance the skills to be learned and a method of evaluation. Determination of credit is based on the complexity of study. Credit must be certified by the Director of Educational Services or their designee.
 - (4) Department of Public Instruction activities. Credit is established by the Department of Public Instruction for activities conducted by the department and other education agencies.
- (e) All educational personnel will submit the Superintendent's copy of the license to the Director of Educational Services. Official copies of transcripts shall also be submitted after completion of college courses for credit.
- (f) Teachers and related staff may request educational or training leave within the guidelines of the Department of Public Safety's leave policy to enable them to maintain current and up-to-date certification.

- (g) Renewal requirements may be subject to change based on NC Board of Education policy updates. Each educator is responsible for tracking and satisfying renewal requirements for their license.

.0107 IN-SERVICE TRAINING FOR TEACHERS

Through the Central Education Office, the Director of Educational Services, or their designee shall administer programs for the professional improvement of teachers. This shall include dissemination of information on promising practices and trends in education; notification regarding conferences, institutes, and speeches; promoting participation in field-based instruction, and other workshops.

.0108 SALARY SCHEDULES OF LICENSED PERSONNEL

- (a) Teachers and licensed student support personnel employed with Prisons are assigned a salary according to the class level of their license, experience level as designated by their license, and area of assignment. These personnel are paid the monthly salary set by the NC General Assembly Salary Schedule, plus any salary supplement as determined by NCDPS.
- (b) If a teacher holds at least one area beyond the "A" level in teaching, student support services, or curriculum instructional specialists/supervision, then that teacher's salary is certified at their highest level of license from these categories.
- (c) Salary payments on the class M teacher license for teachers who hold a master's degree in areas other than teacher education may be authorized by the Director of Educational Services if the degrees are directly relevant to the teacher's area of assignment. This authorization must be made annually.
- (d) A teacher who has earned an advanced or a doctoral license in teaching, student support services, or curriculum instructional specialist/supervision will follow the salary schedule for advanced or doctoral degrees set by the NC General Assembly.
- (e) Teachers who hold a valid certificate from the National Board for Professional Teaching Standards (NBPTS) are to be paid based on this certification. For pay purposes, the effective date is July 1 of the school year that NBPTS certification is earned.
- (f) Salary determinations for supervisors, coordinators, directors, and school administrators in positions requiring professional licensure shall be made by the Department of Public Safety. A supervisor/director shall hold, at a minimum, a school administrator "P" license or program administrator "M" license.
- (g) Principals shall be paid monthly based on the Principal salary schedule set by the NC General Assembly. Principals in NCDPS shall follow the salary schedule for the "met growth" level due to the absence of growth data in prisons.

- (h) Assistant principals are paid based on the Assistant Principal salary schedule set by the NC General Assembly.

.0109 PERSONNEL FILES

- (a) Any complaint, commendation, or suggestion for correction or improvement about the educator's professional conduct shall be placed in the educator's file only after five days' notice to the educator. The complaint, commendation, or suggestion shall be signed by the person who makes it. Any denial or explanation relating to such complaint, commendation, or suggestion that the educator desires to make shall be placed in the educator's personnel file. There is no time limit on the educator's right to present a denial or explanation for placement in the file.
- (b) The Director of Educational Services may elect not to place the item in the educator's personnel file. An educator may petition the Director of Educational Services not to place an item in the educator's personnel file.
- (c) The petition must be signed and dated and include the following information:
- (1) Identification of the specific information or document(s) requested to be removed.
 - (2) The basis for the request (i.e., that the information is invalid, irrelevant, or outdated), and
 - (3) The particulars in support of the request.
- (d) An educator may petition the Secretary of NCDPS, in their role as the Board of Education for the Department, to remove any information from the educator's personnel file that the educator deems invalid, irrelevant, or outdated. Such petition shall be as follows:
- (1) The educator shall file the petition, in writing, with the general counsel for the Secretary.
 - (2) The petition must be signed and dated. Requirements for inclusion are the same as above.
 - (3) The determination of the petition will be based on written argument only.
 - (4) The Secretary of NCDPS may order the removal of the information under review if they find it is invalid, irrelevant, or outdated. The decision by the Secretary shall be final.

.0110 HIRING PROCEDURES

- (a) All educational personnel shall meet licensure requirements as previously stated under Section .0502, Employment Standards.

- (b) Recruitment of applicants for principal positions shall be consistent with the state policy on advertising position vacancies and employment procedures. The Director of Educational Services will make the recommendation pertaining to the employment of a principal.
- (c) Recruitment of applicants for a teaching position shall be the responsibility of the local facility with assistance from the Central Educational Services Office as required. Prospective applicants will be interviewed by the principal and a representative from central office education staff. The Director of Educational Services or **their** designee shall review the licensure credentials of the recommended applicants prior to a recommendation for hiring.

.0111 LICENSURE SUSPENSION AND REVOCATION

- (a) The Director of Educational Services is responsible for identifying individuals suspected of committing an offense that could lead to revocation of a license and preparing a written request with substantiating information regarding an individual suspected of committing an offense that could lead to revocation of licensure. This request shall be submitted to the Department of Public Instruction in a timely manner. The **Director of Education Services** is responsible for initiating revocation proceedings upon the written request and submission of information by any party in a position to present evidence that is a basis for revocation.
- (b) The Director of Educational Services is responsible for reporting licensed employees who have been convicted of felonies to the NC Department of Public Instruction licensure section.

.0112 DISCIPLINARY ACTION AND DISMISSAL PROCEDURES

- (a) An educator may be disciplined by management for cause related to work performance and/or work rule or conduct violations. Any conduct that pertains to GS 115C-325, Grounds for Disciplinary Actions, Dismissal, and Demotion, should be conducted by the Director of Education Services **and the department of Human Resources, NCDPS**. A record of such disciplinary action shall be prepared in writing setting forth the specific acts or omissions that are the reasons for the disciplinary action. A copy of the record shall be placed in the educator's personnel file in accordance with the procedures specified in the Personnel files of this policy.
- (b) Grounds for Disciplinary Action, Dismissal, and Demotion:
An educator may be disciplined, dismissed, or demoted for one or more of the following causes:
 - (1) Inadequate performance
 - (2) Immorality

- (3) Insubordination
 - (4) Neglect of duty
 - (5) Physical or mental incapacity
 - (6) Habitual or excessive use of alcohol or non-medical use of a controlled substance as defined in Article 5 of Chapter 90 of the General Statutes.
 - (7) Conviction of a felony or a crime involving moral turpitude
 - (8) Advocating the overthrow of the government of the United States or the State of North Carolina by force, violence, or other unlawful means
 - (9) Failure to fulfill the duties and responsibilities imposed upon educators by the General Statutes of the State
 - (10) Failure to comply with such reasonable requirements as the Secretary, superintendent, or school/institution/program may prescribe
 - (11) Any cause which constitutes grounds for the revocation of a career educator's license
 - (12) A justifiable decrease in the number of positions due to reorganization, decreased enrollment, or decreased funding
 - (13) Failure to maintain **their** license in a current status
 - (14) Failure to repay money owed to the State in accordance with the provisions of Article 60, Chapter 143 of the General Statutes
 - (15) Providing false information or knowingly omitting a material fact on an application for employment or in response to a pre-employment inquiry
- (c) An educator may be dismissed during the term of their contract for any of the above reasons. In such an instance, the IPL educator has the same right of review as is enjoyed by a **CPL**.
- (d) An educator may not be dismissed, demoted, or placed on disciplinary suspension without pay except upon the **recommendation of the Director of Educational Services**.
- (e) An educator whose contract will not be renewed for the next school year shall be notified of this fact by May 15.
- (f) An educator shall give the **Director of Educational Services** at least 30 days' notice of resignation. Failure to do so may result in the **Director of Educational Services** requesting

that the State Board of Education revoke the educator's license for the remainder of the school year.

- (g) The procedures for dismissal, demotion, and disciplinary suspension shall be in compliance with General Statute 115C-325.

.0113 EMPLOYMENT OF CAREER TEACHERS

When a teacher who has not previously achieved permanent status (IPL) has been employed by the Department of Public Safety for four consecutive years, the Director of Educational Services shall decide whether to grant the teacher permanent status (CPL). Permanent Status (CPL) teachers are given a four-year contract initially signed by the Director of Educational Services, and then the CPL contract is continuing unless the permanent teacher receives a Below Average rating on the summative report or Developing rating.



Commissioner of Prisons

March 10, 2021

Date