

EXECUTIVE SUMMARY

Title: Final Decision in Contested Case – Charlie Richardson vs. DPI, Licensure Section

Type of Executive Summary:

- Action
- Action on First Reading
- Discussion
- Information

Policy Implications:

- Constitution _____
- General Statute #150B-36
- SBE Policy # _____
- SBE Policy Amendment
- SBE Policy (New)
- APA # _____
- APA Amendment
- APA (New)
- Other

Presenter(s): Mr. Tom Ziko, Special Deputy Attorney General

Description:

Mr. Richardson filed a petition for a contested case to challenge the agency’s failure to reinstate his teaching license. The Administrative Law Judge granted conducted a hearing and found that Mr. Richardson did not meet his burden of proof, thus upholding the agency’s action.

Resources:

NA

Input Process:

The administrative hearing process allows both parties to present evidence to an impartial fact-finder.

Stakeholders:

SBE, DPI, LEAs, Teachers

Timeline For Action:

The report is presented for action this month.

Recommendations:

The State Board is requested to adopt the Final Decision presented by the Office of the Attorney General

Audiovisual equipment requested for the presentation:

- Data Projector/Video (Videotape/DVD and/or Computer Data, Internet, Presentations-PowerPoint preferred)
Specify:
 - Audio Requirements (computer or other, except for PA system which is provided)
Specify:
 - Document Camera (for transparencies or paper documents – white paper preferred)
-

Motion By: _____ Seconded By: _____
 Vote: Yes _____ No _____ Abstain _____
 Approved _____ Disapproved _____ Postponed _____ Revised _____

*Person responsible for SBE agenda materials and SBE policy updates: Harry Wilson (808-3406)

EXECUTIVE SUMMARY

Title: Recommendations from the Advisory Board on Requests for Exception from Teacher Licensing Requirements

Type of Executive Summary:

- Action
- Action on First Reading
- Discussion
- Information

Policy Implications:

- Constitution _____
- General Statute # _____
- SBE Policy # QP-A-021
- SBE Policy Amendment
- SBE Policy (New)
- APA # _____
- APA Amendment
- APA (New)
- Other

Presenter(s): Dr. Kathy Sullivan (Director, Human Resource Management Division)

Description:

In April 2006 the Board adopted a policy to allow individuals who have not met licensing requirements due to extenuating circumstances to request an exception from the requirement or an extension of time. The request must include documents from the teacher, the principal, the superintendent, and the chair of the local board of education. In June, a similar policy was approved to allow colleges and universities to submit requests for exception to Praxis I testing requirements on behalf of students seeking admission to teacher education programs. Requests are evaluated by a panel chaired by a member of the State Board. Panel recommendations will be presented in closed session.

Resources:

No additional resources are requested.

Input Process:

The requests for exception and supporting documentation are reviewed by the appeals panel. In addition, the individual and the LEA/IHE seeking the exception are provided the opportunity to meet with the panel.

Stakeholders:

LEAs, teachers who have not been able to satisfy licensure requirements, prospective teachers who have not been able to satisfy Praxis I testing requirements

Timeline For Action:

Panel recommendations will be presented in closed session.

Recommendations:

It is recommended that the actions related to each request be approved.

Audiovisual equipment requested for the presentation:

- Data Projector/Video (Videotape/DVD and/or Computer Data, Internet, Presentations-PowerPoint preferred)
Specify: _____
- Audio Requirements (computer or other, except for PA system which is provided)
Specify: _____
- Document Camera (for transparencies or paper documents – white paper preferred)

 Motion By: _____ Seconded By: _____
 Vote: Yes _____ No _____ Abstain _____
 Approved _____ Disapproved _____ Postponed _____ Revised _____

*Person responsible for SBE agenda materials and SBE policy updates: Kathy Sullivan, 807-3355

**NORTH CAROLINA STATE BOARD OF EDUCATION
Policy Manual**

Policy Identification

Priority: Quality Teachers, Administrators, and Staff

Category: Licensure

Policy ID Number: QP-A-021

Policy Title: Procedure for Seeking Exception from Licensure Requirements

Current Policy Date: 04/06/2006

Other Historical Information:

Previous Board Dates: 05/05/2005

Statutory Reference:

Administrative Procedures Act (APA) Reference Number and Category:

***** Begin Policy *** (Do not tamper with this line)**

The State Board of Education will consider requests for exceptions from licensure requirements in State Board Policy due to extenuating circumstances for individuals who: (1) following initial licensure, have not completed the course work required to maintain a license; OR (2) have not met other licensure requirements.

Exception from Required Course Work

A local board of education may apply to the State Board of Education for a one-year exception from licensure requirements for an individual who, due to extenuating circumstances, has not completed the course work required to maintain a license. The application must include:

1. A document, signed by the individual, which includes:
 - a. A description of the extenuating circumstances that the teacher claims prevented him or her from satisfying the requirements for licensure;
 - b. A request for an extension of his or her license for one additional year to complete the course work required to maintain a license; and
 - c. An acknowledgment that the teacher understands that the materials submitted to the State Board of Education in support of his or her request are public records subject to disclosure under Chapter 132 of the North Carolina General Statutes.

2. A document, signed by the North Carolina principal who most recently supervised the individual, which includes:
 - a. The dates the principal supervised the teacher;
 - b. Sufficient evidence of the individual's academic and professional preparation to satisfy the State Board of Education that the individual is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to all his or her students; and
 - c. A statement that in the principal's opinion the teacher is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to the students in his or her classroom; and
 - d. A copy of any of the individual's summative annual evaluations for the past three years.
3. A document, signed by the superintendent of the local school system, which includes:
 - a. A statement certifying that, based upon a review of the individual's and the principal's documentation and evidence, the superintendent believes the individual is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to the students in his or her classroom;
 - b. A list of the required course work that the applicant has completed;
 - c. A description of the efforts that the local school administrative unit has made to assist the teacher to complete the required course work;
 - d. A list of the required course work that the applicant must complete to qualify for a license;
 - e. A description of the efforts that the local school administrative unit will make to assist the teacher to complete the required course work during the next year of teaching; and
 - f. A statement that the superintendent believes that the applicant is likely to complete the required course work within the one-year extension.
4. A document, signed by the chair of the local board of education, which includes:
 - a. A certification that the local board of education has investigated the extenuating circumstances that the teacher claims prevented him or her from completing the required course work for a license without undue hardship;

- b. A statement that the local board of education is satisfied that the teacher's description of the circumstances is true;
- c. A statement that the local board of education is satisfied that, due to the extenuating circumstances, the teacher could not have completed the required course work for a license without undue hardship;
- d. A certification that the local board of education has approved the employment of the teacher for the next school year, subject only to the State Board of Education's decision to grant the requested one-year extension of the teacher's provisional license.

Exception from Other Licensure Requirements

A local board of education may apply to the State Board of Education for an exception from licensure requirements for an individual who has not fulfilled licensure requirements, other than course work, due to extenuating circumstances. The application must include:

1. A document, signed by the individual, which includes:
 - a. A list of the licensure requirements from which he or she is requesting an exception;
 - b. A description of the extenuating circumstances that the individual claims prevented him or her from fulfilling the licensure requirements; and
 - c. An acknowledgment that the individual understands that the materials submitted to the State Board of Education in support of his or her request are public records subject to disclosure under Chapter 132 of the North Carolina General Statutes.
2. If the individual is not currently employed in a North Carolina public school, the local board shall submit:
 - a. Sufficient evidence of the individual's academic and professional preparation to satisfy the State Board of Education that the individual is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to all his or her students; and
 - b. A copy of any teaching evaluations the individual received during the past three years.
3. If the individual is currently employed in a North Carolina public school, the local board shall submit:
 - a. Sufficient evidence of the individual's academic and professional preparation to satisfy the State Board of Education that the individual is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to all his or her students;

- b. A document, signed by the North Carolina principal who most recently supervised the individual, which includes:
 - i. The dates the principal supervised the teacher;
 - ii. A statement that in the principal's opinion the teacher is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to the students in his or her classroom; and
 - iii. A copy of any teaching evaluations the individual received during the past three years.

- 4. A document, signed by the superintendent of the local school system, which includes:
 - a. A statement certifying that, based upon a review of the individual's and the principal's documentation and evidence, the superintendent believes the individual is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to the students in his or her classroom;
 - b. A description of the deficiencies that prevent the individual from meeting licensure requirements;
 - c. A description of any efforts that the local school system has made to assist the individual to complete the licensure requirements; and
 - d. The reasons the superintendent believes that the individual should be granted a license despite the failure to meet the licensure requirements.

- 5. A document, signed by the chair of the local board of education, which includes:
 - a. A certification that the local board of education has investigated the extenuating circumstances that the individual claims prevented him or her from completing the requirements for a license;
 - b. A statement that the local board of education is satisfied that the individual's description of the circumstances is true;
 - c. A statement that the local board of education is satisfied that, due to the extenuating circumstances, the individual could not have completed the requirements for a license without undue hardship;
 - d. A certification that the local board of education has approved the employment of the teacher for the next school year, subject only to the State Board of Education's decision to grant the individual a license.

Decision of the State Board of Education

Upon the recommendation of the Chair, the State Board of Education shall appoint two or more members of the Board and at least four professional educators to an Advisory Board on Requests for Exception from Teacher Licensing Requirements. From those individuals appointed to the Advisory Board, the Chair shall construct review panels consisting of no less than four professional educators and one member of the State Board of Education. The panels shall review those requests for exception from licensure assigned to them, evaluate the merits of the requests and submit to the State Board of Education recommendations to grant or deny the requests along with any other information the panels deem material.

Each review panel shall be chaired by a member of the State Board of Education. A panel may require the representatives of the local school administrative unit which submitted the application for exception as well as the individual in question to provide additional information, appear before the panel, respond to questions, produce documents and otherwise cooperate with the panel's efforts to evaluate the merits of a request for exception. With the approval of the chair of the panel, members may participate in panel meetings by telephone.

After it receives the panel's recommendation, the State Board of Education shall make a decision whether to grant or deny the requested exception, provided an extension for course work will not extend the three-year time limit in which a lateral entry teacher must satisfy all course work and testing requirements for a continuing license.

Nothing herein is intended to permit exceptions from licensure requirements mandated by State or federal law.

**NORTH CAROLINA STATE BOARD OF EDUCATION
Policy Manual**

Policy Identification

Priority: Quality Teachers, Administrators, and Staff

Category: Teacher Education

Policy ID Number: QP-B-009

Policy Title: Procedure for Seeking Exception from Teacher Education Program Praxis I Admission Requirements

Current Policy Date: June 1, 2006

Other Historical Information:

Previous Board Dates:

Statutory Reference:

Administrative Procedures Act (APA) Reference Number and Category:

***** Begin Policy *** (Do not tamper with this line)**

An institution of higher education (IHE) may apply to the State Board of Education for an exception from PRAXIS I for an individual who, due to extenuating circumstances, has not been able to pass PRAXIS I. The application must include:

1. A document, signed by the individual, which includes:
 - a. Copies of the official scores for all the PRAXIS I tests that the individual has taken;
 - b. A description of the extenuating circumstances that the individual claims prevented him or her from passing PRAXIS I; and
 - c. An acknowledgment that the individual understands that the materials submitted to the State Board of Education in support of his or her request are public records subject to disclosure under Chapter 132 of the North Carolina General Statutes.
2. The dean of the school of education at the IHE shall submit:
 - a. Evidence that the individual has passed tests in reading, writing, and mathematics sufficient to demonstrate that the individual is qualified to successfully complete the teacher education program at the IHE and
 - b. A copy of the individual's official transcript at the IHE.

Decision of the State Board of Education

Requests for exceptions to teacher education program Praxis I admission requirements will be considered by the Advisory Board on Requests for Exception from Teacher Licensing Requirements. The panel may require the dean of the IHE that submitted the application for exception, as well as the individual seeking the exception, to provide additional information, appear before the panel, respond to questions, produce documents and otherwise cooperate with the panel's efforts to evaluate the merits of the request for exception. With the approval of the chair of the panel, members may participate in panel meetings by telephone.

After it receives the panel's recommendation, the State Board of Education shall make a decision whether to grant or deny the requested exception.

EXECUTIVE SUMMARY

Title: **Educational Interpreters and Transliterators Extension of Employment**

Type of Executive Summary:

- Action
 Action on First Reading
 Discussion
 Information

Policy Implications:

- Constitution _____
 General Statute # _____
 SBE Policy # QP-C-001
 SBE Policy Amendment
 SBE Policy (New)
 APA # _____
 APA Amendment
 APA (New)
 Other _____

Presenter(s): Dr. Elsie Leak (Associate Superintendent, Curriculum and School Reform Services) and Mrs. Mary N. Watson (Director, Exceptional Children Division)

Description:

The current deadline for educational interpreters and transliterators to pass the required testing to work in the public schools is June 30, 2007. Individuals not passing the required test by that deadline will not be allowed to interpret in public schools. In late 2006, Boys Town Diagnostic Center implemented a new process that requires states to make reservations for their sign language interpreters to be evaluated. Boys Town is the only organization that evaluates the Educational Interpreter Proficiency Assessment required by the State Board of Education. Currently, no slots are available until August of 2007. Boys Town is currently working to create more slots. However, they have stated it will be impossible to test all interpreters in time to receive their scores required by current State Board policy.

The State Board previously granted 2 extensions due to the short amount of time LEAs had to come into compliance with State Board Policy. States are taking an average of 4 years to implement policy for standards in educational interpreting and transliterating. Because interpreters will not be able to test during the 2006-2007 school year, a final one-year extension is requested to provide interpreters and transliterators with the opportunity to take their respective assessments.

Resources:

NCDPI staff with the Exceptional Children Division and Individuals with Disabilities Education Act (IDEA) funding for training and assessment costs.

Input Process:

NCDPI staff with the Exceptional Children Division, community colleges with Interpreter Training Programs, Division of Services for the Deaf and Hard of Hearing staff, a random sampling of Exceptional Children Directors from both rural and urban settings, and NC Registry of Interpreters for the Deaf.

Stakeholders:

Students of North Carolina schools, interpreters, teachers of children and youth who are deaf, and school administrators.

Timeline For Action:

This item is presented for discussion the April State Board of Education meeting and will be presented for action at the May State Board of Education meeting.

Recommendations:

It is recommended that the State Board of Education approve a final one-year extension for interpreters and transliterators to pass the required test.

Audiovisual equipment requested for the presentation:

Data Projector/Video (Videotape/DVD and/or Computer Data, Internet, Presentations-PowerPoint preferred)
Specify: _____

Audio Requirements (computer or other, except for PA system which is provided)
Specify: _____

Document Camera (for transparencies or paper documents – white paper preferred)

Motion By: _____

Seconded By: _____

Vote: Yes _____ No _____

Abstain _____

Approved _____ Disapproved _____

Postponed _____ Revised _____

*Person responsible for SBE agenda materials and SBE policy updates: Tish Bynum

NORTH CAROLINA STATE BOARD OF EDUCATION
Policy Manual

Policy Identification

Priority: Quality Teachers, Administrators, and Staff

Category: Qualifications and Evaluations

Policy ID Number: QP-C-001

Policy Title: Policy delineating the job classification for non-certified public school employees

Current Policy Date: 05/03/2007

Other Historical Information: Previous board dates: 02/01/1996, 08/05/1999, 09/16/1999, 10/07/1999, 05/03/2001, 11/07/2002, 6/02/2005, 05/04/2006

Statutory Reference:

Administrative Procedures Act (APA) Reference Number and Category:

Please refer to the insert **Job Classifications for Non-Certified Public School Employees**. This manual is available from the:

NC Department of Public Instruction
School Business Division
School Personnel Support Section
6334 Mail Service Center
Raleigh, NC 27699-6334

Questions regarding the **Job Classifications for Non-Certified Public School Employees** should be directed to:

(919) 807-3365

The **Job Classifications for Non-Certified Public School Employees** manual is also available from the following link:

Job Class Specifications for Non-Certified Public School Personnel (400kb [pdf file](#) - get [Acrobat Reader](#) - or [HTML file](#))

EDUCATIONAL INTERPRETER / TRANSLITERATOR I (HEARING IMPAIRED)

Salary Grade 62

NATURE OF WORK

An employee in this class is responsible for transliterating/interpreting in the classroom or at school-related activities for students who are deaf or hard of hearing. Daily directions are provided by the general education teacher and/or the teacher of the deaf. The employee consults with the teachers when problems arise. Errors can seriously inhibit the progress of student learning. Limited supervision is provided.

ILLUSTRATIVE EXAMPLES OF WORK

Facilitates communication between the student and his peers and the student and adults in the school environment.
Studies the content of the lessons prior to class to ensure accurate representation of the lesson.
Tutors students who are deaf or hard of hearing under the direction of the teacher.
Provides feedback to teachers upon request.
Serves as a liaison to promote positive and cooperative relationships within the school environment.
May teach beginning sign language to students or staff.

KNOWLEDGE, SKILLS AND ABILITIES

Competence in the communication modality used by the student who is deaf or hard of hearing.
Competence in English grammar, including syntax, spelling and punctuation.
Working knowledge of typical language development.
Strong interpersonal skills in relating to students and adults.
Working knowledge of subjects being interpreted.
Understanding of deafness and its impact on language development.
Skill in expressive transliterating/interpreting at a rate commensurate with conversational speech and class lectures.
Adequate reverse interpreting/transliterating skill while maintaining the integrity of the message.
Ability to work as part of an Individualized Education Program team.

TRAINING AND EXPERIENCE

Educational Interpreter/Transliterator I working with sign language requires a minimum of Level 3 on the Educational Interpreter Proficiency Assessment or a passing score on a state level interpreting evaluation and a minimum of a high school diploma. No prior experience is required. Persons serving as Interpreter/Transliterator I must annually complete 15 hours of training related to interpreting that has been approved by the local education agency.

Educational Interpreter/Transliterator I working with cued speech requires a minimum of Level 3 on the State Testing, Evaluation and Certification Unit (TEC Unit) Assessment and a minimum of a high school diploma. No previous experience is required. Persons serving as Interpreter/Transliterator I must annually complete 15 hours of training related to transliterating that has been approved by the local education agency.

NOTE: The current educational interpreters who do not meet the new Level I standards have up to July 1, 2008 to meet the standards and are paid at the Salary Grade 59 until they meet the Level I standards. The new standards are effective July 1, 2003.

This specification has been designed to represent the general nature and level of work found in positions in this class. As such it is not intended to contain all of the duties and qualifications required of an employee in a single position (job). Consequently, it is not to be perceived as a position (job) description or as identification of essential functions as required by ADA.

EDUCATIONAL INTERPRETER /TRANSLITERATOR II (HEARING IMPAIRED)

Salary Grade 64

NATURE OF WORK

An employee in this class is responsible for transliterating/interpreting for students who are deaf or hard of hearing in the classroom or at school-related activities. Daily directions are provided by the general education teacher and/or the teacher of the deaf. The employee consults with the teachers when problems arise. Errors can seriously inhibit the progress of student learning. Limited supervision is provided.

ILLUSTRATIVE EXAMPLES OF WORK

Facilitates communication between the student and his peers and the student and adults in the school environment.
Studies the content of the lessons prior to class to ensure accurate representation of the lesson.
Tutors students who are deaf or hard of hearing under the direction of the teacher.
Provides feedback to teachers upon request.
Serves as a liaison to promote positive and cooperative relationships within the school environment.
May teach beginning or intermediate sign language classes to students or staff.

KNOWLEDGE, SKILLS AND ABILITIES

Mastery of the communication modality used by the student who is deaf or hard of hearing.
Mastery of English grammar, including syntax, spelling and punctuation.
Working knowledge of typical language development.
Strong interpersonal skills in relating to students and adults.
Working knowledge of subjects being interpreted.
Understanding of deafness and its impact on language development.
Superior skill in expressive transliterating/interpreting at a rate commensurate with conversational speech and advanced level class lectures.
Superior skill in reverse interpreting/transliterating while maintaining the integrity of the message.
Ability to work as part of an Individualized Education Program team.

TRAINING AND EXPERIENCE

Educational Interpreter/Transliterators II working with sign language requires (1) a minimum of an AA degree in Educational Interpreting from an accredited program, a minimum of two years experience in an educational setting and a score of Level 3 on the Educational Interpreting Proficiency Assessment or (2) licensure from the Registry of Interpreters for the Deaf, Inc. (RID) or the National Association for the Deaf (NAD) and a minimum of two years of experience in an educational setting. Persons serving as Educational Interpreter/Transliterators II must annually complete 15 hours of training related to interpreting that has been approved by the local education agency.

Educational Interpreter/Transliterators II working with cued speech requires national certification from the Training, Evaluation and Certification Unit (TEC Unit) and a minimum of two years of transliterating experience in an educational setting. Persons serving as Educational Interpreter/Transliterators II must annually complete 15 hours of training related to transliterating that has been approved by the local education agency.

NOTE: An Educational Interpreter/Transliterators II without two years of experience interpreting or transliterating in an educational setting will be classified as Educational Interpreter/Transliterators I.

This specification has been designed to represent the general nature and level of work found in positions in this class. As such, it is not intended to contain all of the duties and qualifications required of an employee in a single position (job). Consequently, it is not to be perceived as a position (job) description or as identification of essential functions as required by ADA.